Law Review Scholarship in the Eyes of the Twenty-First Century Supreme Court Justices: An Empirical Analysis

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A corresponding appendix has been attached to this article and is available for download from http://ssrn.com/abstract=2046293 and the Drexel Law Review website.

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LAW REVIEW SCHOLARSHIP IN THE EYES OF THE TWENTY-FIRST CENTURY SUPREME COURT JUSTICES: AN EMPIRICAL ANALYSIS

Brent E. Newton*

INTRODUCTION

Chief Justice John Roberts recently threw fuel on the fire of the perennial debate about the practical value of American law review articles when he stated that, as a general matter, law reviews are not “particularly helpful for practitioners and judges.” The Chief Justice

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† A corresponding Appendix to this Article is available for download on the Drexel Law Review website and is also on file with the author. See also infra note 30 and accompanying text (regarding the availability of a spreadsheet containing the list of the 1961 signed opinions analyzed in this Article).

is the most prominent among an increasing number of critics who have declared that, during recent decades, there has been a growing disconnect between law review articles written by law professors and the needs of the bench and bar in legal scholarship.\(^2\) Furthermore, there is convincing evidence that a substantial amount of law review scholarship today is not considered useful even by other law professors.\(^3\)

American law reviews have their twenty-first century defenders. Virtually all, though, are members of the legal academy,\(^4\) whose livelihoods depend almost exclusively on publishing law review articles rather than on their teaching prowess or service to the legal community.\(^5\) Furthermore, despite the general criticism leveled at modern law reviews, many judges—including every current Supreme Court Justice—do believe that at least some law review scholarship has value and, in particular, is worthy of citing in judicial opinions.\(^6\)

An analysis of twenty-first century Justices’ citations of law review scholarship—how often they cite articles, the professional identities of authors of the cited articles, and the ranking of the law reviews in which the cited articles appear—provides an excellent prism through which to assess today’s law reviews. In addition to having had varied and rich legal careers as practitioners, policy-


\(^3\) See Thomas A. Smith, The Web of Law, 44 SAN DIEGO L. REV. 309, 336 (2007) (finding that 43% of all law review articles contained in the Lexis-Nexis database have never been cited even once in other law review articles or reported cases).

\(^4\) Legal scholars will on occasion indeed take up Kant (and there’s no shame in that), . . . but more often than not, published law review articles offer muscular critiques of contemporary legal doctrine, alternative approaches to solving complex legal questions, and reflect a deep concern with the practical effect of legal decision-making on how law develops in the courtroom.

\(^5\) See Newton, supra note 2, at 133–39.

\(^6\) See infra Table 1.
makers, and lower court judges, the majority of the current Justices were, at earlier points in their careers, full-time law professors.7 Presumably, the Justices are able to separate the wheat from the chaff in the law reviews,8 and, increasingly in this era of burgeoning law reviews, find the needles in the hay stack.9 With the assistance of the best and brightest young legal minds (the Justices’ three dozen law clerks) and cogent and comprehensive briefing and oral advocacy by the Supreme Court bar and amici curiae, the Justices operate in a highly rarified intellectual atmosphere that facilitates a thorough, rigorous decisional process. The present study examined whether something meaningful might be gleaned from an analysis of the modern Justices’ practice of citing law review articles.

I. METHOD

This Article describes the results of an empirical study of the nearly two thousand signed opinions authored by the Justices—majority opinions, plurality opinions, concurring opinions (i.e., opinions that dissented in part and concurred in part) issued after oral arguments—dated between January 1, 2001, and December 31, 2011, which cited at least one Amer-


8. Although by no means the only measure of an article’s worth, one or more Justices’ decision to cite a particular law review article in an opinion (particularly in a majority opinion) is a strong indication of the high value of that article. Countless law professors and law school deans believe this to be true; citation of a professor’s law review article in a Supreme Court opinion is a feather proudly and justifiably worn in the professor’s cap. See, e.g., Two UK Law Professors Cited by U.S. Supreme Court, UK C. LAW (Apr. 22, 2011), available at http://www.law.uky.edu/index.php?nid=108 (quoting dean of University of Kentucky School of Law who stated his pride in the fact that a law review article written by two law professors at his school was cited in a Supreme Court opinion); Professor Wildenthal Cited in U.S. Supreme Court Ruling, T. JEFFERSON SCHL. L., www.tjsl.edu/news-media/2010/527 (last visited May 1, 2012) (quoting law professor’s statement that being cited by the Supreme Court is “a thrill and an honor”); Prof. Outterson Writes About Health Care Reform for Leading Blog, B.U. SCHL. L. HEALTH NEWSL. (Fall 2011), available at http://www.bu.edu/law/events/newsletters/healthlaw/2011fall/outterson.shtml.

can law review article.\textsuperscript{10} Cases with per curiam decisions and other unsigned opinions or summary dispositions, in-chambers opinions of individual Justices (e.g., orders ruling on applications for stays of judgment), and opinions respecting the denial of certiorari or dissenting from the denial of certiorari were not counted in this study. The study sought to identify opinions that directly cited a law review article.\textsuperscript{11} Any opinion that merely quoted a prior opinion that in turn had quoted a law review article—but did not otherwise cite or quote the article independently—was not counted as an opinion citing a law review article.

Opinions were coded to determine the following: (1) whether one or more law review articles (including law student notes or comp-
ments) were cited in each separate opinion; (2) which Justices wrote the opinions citing law review articles; (3) the professional status of the articles’ authors at the time that the cited articles were published (as a full-time law professor, legal practitioner, judge, law student, or “other”); and (4) the ranking of the law reviews that published the cited articles according to Washington and Lee University School of Law’s (W&L) combined-score ranking system. The results of this coding project are contained in an online appendix to this Article, which is available on the Drexel Law Review’s website, and also are on file with the author.

Because there are thousands of American law review articles published annually, and because the twenty-first century Supreme Court decides less than one hundred cases per year after oral argument, only a tiny fraction of law review articles could be cited by the Justices annually. Thus, rather than focus on the absolute number of law review articles cited by the Court each year, a better measure is the frequency with which the Court cites law review articles in relation to the total number of opinions written by the Justices at different points in time and, ideally, also in relation to the total volume of law review articles published during the relevant time periods. Just as the number of Supreme Court decisions after oral argument has shrunk in recent decades, the number of American

12. WASH. & LEE U. SCH. LAW, supra note 10. All references to the W&L ranking system in the study below refer to the 2010 version, which was the latest version of the W&L rankings at the time that I conducted my research in 2011.

13. See Newton, supra note 2, at 114 (noting that there are nearly one thousand American law reviews today that publish between 150,000 and 190,000 pages per year).


15. Regretfully, I was unable to obtain reported information about the precise volume of law review scholarship published annually (i.e., precise page numbers per year) for purposes of comparing it to the changing size of the Court’s docket. It can hardly be disputed, though, that the amount of law review scholarship has risen significantly at the very time that the annual number of cases decided after oral argument has decreased. See infra note 17.

16. See Starr, supra note 14, at 1369 (noting that, in 1930, the Supreme Court decided 235 cases on the merits, while in the first decade of the twenty-first century, the Supreme Court has decided less than ninety cases on the merits each year). Ideally, an empirical analysis would also control for number of words in Supreme Court opinions—which have grown substantially in recent years—just as the number of cases decided on the merits have shrunk. See Debra Cassens Weiss, U.S. Supreme Court Sets Record for Longest Opinions Ever, A.B.A. J., Nov. 19, 2010, available at http://www.abajournal.com/news/article/u.s._supreme_court_sets_record_for_longest_opinions_ever/ (noting that the average length of the Court’s opinions has increased significantly since the mid-1950s); Ryan C. Black & James F. Spriggs II, An Empirical Analysis of the Length of U.S. Supreme Court Opinions, 45 HOUS. L. REV. 621, 635 (2009). The longer the Court’s opinions, the more opportunity exists to cite legal authorities, including law review articles. Furthermore, an analysis also should account for the increasing num-
law reviews has grown dramatically during that same time period. It is fair to infer that, if current Justices cite law review articles more or less frequently than past Justices, the practical value of legal scholarship to the Justices has either increased or decreased, respectively. A comparison of the frequency with which the Justices rely on legal scholarship over time—in particular, a comparison of the percentage of opinions citing articles and the average number of articles cited per opinion—is thus important.

The present study demonstrates that the Justices have cited law review articles less frequently since the apex of the 1970s and 1980s, when at least one Justice’s opinion in approximately half of the Court’s cases cited one or more law review articles. During the first decade of the twenty-first century, on average, one or more Justices cited articles in their opinions in 37.1% of the Court’s cases and, on average, the Justices cited 0.52 articles per opinion compared to 0.87 articles per opinion in the early 1970s. Justices considered liberal in their judicial philosophies cited law review articles in their opinions more frequently than did Justices considered judicial conservatives.

In addition to looking at citation frequency rates, this study also examined two other issues: (1) the primary professional status of the authors at the time that the cited articles were published; and (2) the ranking of the law reviews in which the cited articles were published. With respect to the authors’ status, the primary focus was on the percentage of cited articles written by full-time law professors. Considering that America’s ten-thousand-plus full-time law professors devote the bulk of their careers to scholarship—while the other number of separate opinions (concurring and dissenting opinions) per case, the growth of which in recent years has continued unabated. See Adam Liptak, *Justices Long on Words but Short on Guidance*, N.Y. TIMES, Nov. 18, 2010, at A1 (noting a recent empirical study that concluded that the average numbers of concurring and dissenting opinions per case are at a record high in the modern era).


19. See *infra* Part II.A.

20. Occasionally, an author had two professional identities at the time an article was published (e.g., judge and lecturer at a law school). In such cases, the professional identity that appeared to be the primary one at the time of the publication was chosen.

21. According to the Association of American Law Schools, in the 2008–09 academic year (the last year for which there is reported data), there were 10,965 full-time law professors (in-
er types of authors write such articles either as a neophyte or as a minor part of one’s career—one would expect that the Justices would cite law review articles by law professors at a much greater rate than articles by other types of authors. The results of this study challenge that assumption. As discussed below, nearly four in ten cited law review articles were written by authors who were not full-time law professors.

Finally, the present study analyzed the rankings of the law reviews in which the cited articles were published. This was done because the ranking of a law review in which a law professor publishes his or her work is critically important for purposes of professional advancement. To be hired, promoted, and given tenure at many law schools, professors generally must publish articles in highly ranked law reviews. Thus, the leaders in the legal academy (or at least those at the upper echelons of it) obviously believe that a law review article’s worth is to be gauged in significant part by the ranking of the law review in which the article appears. If Supreme Court Justices put similar stock into such rankings, then one would expect that the vast majority of the articles that they cite would appear in “tenure-worthy” law reviews. The present study also tests this hypothesis and concludes that, although articles in elite law reviews are cited more frequently than articles in other law reviews, the Justices increasingly have cited articles that likely would not be deemed tenure-worthy at many law schools. Additionally, the Justices have cited articles from higher ranked law reviews at a decidedly decreasing rate since the 1970s.

II. RESULTS AND DISCUSSION

A. Frequency of Justices’ Citations of Law Review Articles

The Appendix contains citations to 792 cases decided after plenary consideration (i.e., briefing and oral argument) by the Supreme

22. See Newton, supra note 2, at 133, 139; see also infra notes 42–43 and accompanying text.
Court between January 1, 2001, and December 31, 2011, in which the
opinions announcing the judgment of the Court were signed by Ju-
stices. Per curiam decisions were excluded. The Appendix also in-
cludes a detailed list of all the Justices’ signed opinions (majority,
plurality, concurring, dissenting, and hybrid opinions) that cited one or more law review articles. One or more Justices cited at least
one law review article in 294 (37.1%) of the 792 cases. In those 294
cases, the Justices cited law review articles 1023 separate times.23
Thus, each case in which one or more Justices cited at least one law
review article contained, on average, citations to 3.48 articles. The
median citation count per opinion was only one law review article.24
Looking at all 1961 opinions written by the Justices between 2001
and 2011, the Justices averaged 0.52 article citations per opinion.
In 169 cases (or 21.3% of the 792 cases), one or more law review
articles were cited in the majority opinion. I highlight majority opin-
ions because a law review article would not have necessarily influ-
enced the outcome of a case when it was only cited in a plurality,
concurring, or dissenting opinion.25 Focusing on majority opinions is
also important because of the continuing growth in the average
number of separate opinions (concurring and dissenting opinions)
per decision issued in the modern era.26 Law review articles cited in
separate opinions, although important, do not possess the same in-
dicium of value as an article cited in an opinion reflecting a majority
of the Court.

Although this study was limited to the first decade of the twenty-
first century, the results can be compared to similar studies that ana-

23. If a particular law review article was cited more than once within the same opinion in a
case (typically using id.- and supra-form citations), that article was only counted once per
opinion. In some instances, Justices who issued separate opinions would cite the same article
in their respective opinions. In these cases, I counted each citation separately. In addition,
there were many instances in which the same law review article was cited in multiple cases.
For these reasons, there are fewer than 1023 unique articles cited in this Article’s Appendix.
24. The large difference between the mean and median values is explained by the fact that
a small percentage of opinions cited a large number of law review articles. For instance, Justi-
ce Stevens’s dissenting opinion in McDonald v. City of Chicago, 130 S. Ct. 3020, 3088–120
(2010), cited twenty-three law review articles.
25. In their recent empirical study of Supreme Court Justices’ citations of law review arti-
cles from 1949–2009, Professors Petherbridge and Schwartz erroneously referred to all Justic-
es’ opinions, not just majority opinions, as being “decisions of the Supreme Court.”
Petherbridge & Schwartz, supra note 11. Except for the rare case in which an opinion concur-
ring in the judgment (providing the fifth vote) on narrower grounds than a more broadly rea-
soned plurality opinion—in which case the narrower concurring opinion is the holding of the
Court—opinions other than majority opinions are not decisions “of the Court.” See Marks v.
lyzed the Justices’ citation rates in the last few decades of the twentieth century. The rate at which the Justices have cited law review articles in their opinions has declined significantly in recent decades, even as the average opinion length and number of separate opinions issued per decision has grown (thus providing more opportunities to cite legal authorities in each case). Another recent empirical study of the Justices’ citation of law reviews contains similar data regarding this point, although its authors assert that the decrease in recent decades “might be regressing to a mean of just over a full third of reported decisions” in light of the relatively low citation rates in the decades before 1960. Whatever the case, it seems clear when considering all the empirical studies together (including the present one) that the twenty-first century Justices have not cited law review articles with the same relative frequency as they did in the period from roughly 1975 through 1995.

In addition to studying the Justices’ overall declining use of law review articles as persuasive or explanatory authority in their opinions, analysis of the individual Justices’ citations to law review articles merits discussion. According to the Supreme Court Database, the thirteen different Justices on the Court from 2001 to 2011 issued a total of 1961 signed opinions (majority, plurality, concurring, dissenting, and hybrid opinions). Table 1 below lists the number (and

27. See Louis J. Sirico, Jr., The Citing of Law Reviews by the Supreme Court: 1971-1999, 75 Ind. L.J. 1009, 1010–13 (2000) (comparing law review citations in the Justices’ opinions in four three-year periods—1971-73, 1981-83, 1991-93, and 1996-98—and observing a steady decline of average citations per opinion during those three decades, from 0.87 citations per opinion in the early 1970s, to 0.47 citations per opinion in the late 1990s); see also Louis J. Sirico, Jr. & Jeffrey B. Margulies, The Citing of Law Reviews by the Supreme Court: An Empirical Study, 34 UCLA L. Rev. 131 (1987) (original study of 1971-73 and 1981-83 periods). Professor Sirico’s 2000 study, unlike Petherbridge and Schwartz’s 2011 study, “selected the very traditional method of reading all the pages [in the Justices’ opinions] without electronic assistance.” Sirico, Jr., supra, at 1010. As noted above, my own study used both the traditional method and the computer-assisted method, while Petherbridge and Schwartz’s study identified opinions citing articles only using a computer-based search (which, as I noted earlier, likely resulted in an undercount of citations).

28. See supra notes 16 & 27.

29. See Petherbridge & Schwartz, supra note 11. Petherbridge and Schwartz found that the Justices cited law review articles at a greater rate (in at least one opinion in 40-50% of the Court’s cases) in the 1970s and 1980s, compared to approximately one-third of cases in the last decade. See id. But because their computer-based search was flawed in that it undercounted the actual number of opinions citing law review articles, see supra note 11, the actual percentage of opinions citing one or more law review articles in the 1970s and 1980s was likely higher than their findings indicated.

percentage) of such opinions citing one or more law review articles based on the total number of opinions authored per Justice, and also lists the average number of cited articles per opinion.

**Table 1. Justices’ Citations to Law Review Articles from 2001–2011**

<table>
<thead>
<tr>
<th>Justice</th>
<th>Number of signed opinions citing ≥ one article/total number of opinions (percent)</th>
<th>Total number of cited articles/total number of opinions (mean)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehnquist</td>
<td>8/58 (13.79)</td>
<td>20/58 (0.34)</td>
</tr>
<tr>
<td>Roberts</td>
<td>13/81 (16.04)</td>
<td>22/81 (0.27)</td>
</tr>
<tr>
<td>Stevens</td>
<td>67/273 (24.54)</td>
<td>215/273 (0.79)</td>
</tr>
<tr>
<td>O’Connor</td>
<td>17/90 (18.89)</td>
<td>40/90 (0.44)</td>
</tr>
<tr>
<td>Scalia</td>
<td>54/278 (19.42)</td>
<td>111/278 (0.40)</td>
</tr>
<tr>
<td>Kennedy</td>
<td>40/184 (21.74)</td>
<td>87/184 (0.47)</td>
</tr>
<tr>
<td>Souter</td>
<td>30/158 (18.99)</td>
<td>96/158 (0.61)</td>
</tr>
<tr>
<td>Thomas</td>
<td>35/263 (13.31)</td>
<td>83/263 (0.32)</td>
</tr>
<tr>
<td>Ginsburg</td>
<td>42/182 (23.08)</td>
<td>120/182 (0.66)</td>
</tr>
<tr>
<td>Breyer</td>
<td>63/241 (26.14)</td>
<td>163/241 (0.68)</td>
</tr>
<tr>
<td>Alito</td>
<td>21/104 (20.19)</td>
<td>53/104 (0.51)</td>
</tr>
<tr>
<td>Sotomayor†</td>
<td>5/37 (13.51)</td>
<td>7/37 (0.19)</td>
</tr>
<tr>
<td>Kagan‡</td>
<td>1/12 (8.33)</td>
<td>6/12 (0.50)</td>
</tr>
</tbody>
</table>

Total 396/1961 (20.19) 1023/1961 (0.52)

<table>
<thead>
<tr>
<th>Highest % opinions with citations</th>
<th>Highest average citation frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breyer</td>
<td>Stevens 0.79</td>
</tr>
<tr>
<td>Stevens</td>
<td>Breyer 0.68</td>
</tr>
<tr>
<td>Ginsburg</td>
<td>Ginsburg 0.66</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Lowest % opinions with citations</th>
<th>Lowest average citation frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas</td>
<td>Roberts 0.27</td>
</tr>
<tr>
<td>Rehnquistic</td>
<td>Thomas 0.32</td>
</tr>
<tr>
<td>Roberts</td>
<td>Rehnquistic 0.34</td>
</tr>
</tbody>
</table>

† Excluded from further analyses because of the small number of opinions authored to date.
As the data show, on average, liberal Justices have cited law review articles more frequently within and across their opinions than their conservative counterparts. A plausible explanation for this trend is that law review articles, particularly those written by law professors, are more likely to reflect the ideology of the liberal Justices.31

Chief Justice Roberts’s citations to law review articles are notable in another respect: half of the articles to which he has cited (11 of 22) are at least two decades old. Excluding these older articles, his citation rate drops to an average of 0.14 articles per opinion. This finding confirms his declaration that he does not have much use for modern law review scholarship.

B. Status of Authors

Of the 1023 cited articles, 61.62% of authors were full-time law professors,32 while 38.38% were law students, legal practitioners,33 judges, or persons who were not primarily associated with the bench, bar, or legal academy (including researchers with non-academic think tanks or other private research organizations, and full-time professors from university departments other than law schools, such as economists, historians, and political scientists).34 An examination of the authors who were not full-time law professors revealed that the four subgroups each constituted roughly one quarter of the subtotal.35


32. I define law professor very broadly: any full-time professor (or dean) employed by an American law school; whether tenure track, tenured, or non-tenure track; and including experiential professors (e.g., clinical law professors), visiting law professors, and professors emeritus. I also include teaching fellows, visiting assistant professors, and similar short-term legal scholars employed on a full-time basis at a law school.

33. Authors were deemed practitioners if they identified themselves (or if other information identified them) as being primarily engaged in the practice of law for a private firm or government agency. Post-graduate judicial law clerks were deemed practitioners. If an author only identified himself or herself as “J.D.” or as a member of a state bar, such author was deemed a practitioner unless outside research revealed otherwise.

34. If an article was co-authored by multiple authors who did not share a single professional identity, each author was assigned a proportionate share of authorship (e.g., an article co-authored by a law professor, practitioner, and law student resulted in each author’s professional identity being assigned a value of 0.33).

35. Law students were 27.02%, practitioners 29.96%, judges 17.72%, and “other” 25.30%.
The identity of the authors is important because, as I have written elsewhere, publishing law review articles is the professional preoccupation of the bulk of today’s full-time American law professors. Law review scholarship is the raison d’être of twenty-first century law professors—they are hired, promoted, and granted tenure (with the partial exception of the small minority of experiential professors, such as clinicians, at some law schools) based primarily on publishing law review articles. Members of the legal profession who write law review articles—practitioners and judges—typically do so primarily out of intellectual curiosity and a desire to contribute their ideas to the legal community more than for professional advancement or remuneration. Neophyte law students publish notes or comments as part of their duties on their law reviews. And “other” authors—typically full-time academics who are employed by university departments other than law schools but whose professional interest is the legal system—publish law review articles as a secondary or tertiary part of their scholarly mission (books or articles in academic journals other than law reviews being their primary medium of scholarly expression). Thus, comparing the number of cited law review articles written by full-time law professors with the number written by other authors serves as one indicia of the practical value of law review articles written by members of the legal academy. The fact that nearly four out of ten of the authors of the cited law review articles wrote them as an avocation rather than a vocation (as do law professors) is telling about how the Court views legal scholarship produced by the legions of American law professors.

With respect to law review authors whose primary professional identity is not as a law professor, I am aware of no recent data on what percentage of all law review articles today are authored by non-law professors. That percentage was substantial in the past, although the number declined significantly from 1960 to 1985. A review of recent editions of the top ten law reviews as ranked by the

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36. See Newton, supra note 2, at 133–34, 139.
37. See id.
38. See Michael J. Saks et al., Is There a Growing Gap Among Law, Law Practice, and Legal Scholarship?: A Systematic Comparison of Law Review Articles One Generation Apart, 30 SUFFOLK U. L. REV. 353, 365 (1996) (noting the difference between the ratios of judge and practitioner articles to professor articles in 1960 and 1985; in 1960, the ratio of judge and practitioner articles to law professor articles was 1 to 1, but by 1985, the ratio was 1 to 2.24).
W&L system\textsuperscript{39} revealed that, of the thirty-four authors and co-authors of published articles (excluding student works), only one was a practitioner (who, as it turns out, was on leave from his full-time job as a law professor in order to serve temporarily as a government attorney). Another author was a law clerk for a federal circuit judge, a third was a federal circuit judge, and a fourth was a professor of medicine and genetics. The primary professional identity of the remaining thirty (88\%) was full-time law professor.

By comparison, an analysis of non-student articles appearing in the most recent editions of several randomly selected law reviews (both flagship law reviews and specialty law reviews) at different places in the 2010 version of the W&L rankings revealed a very different profile of authors than that of the articles in the top ten law reviews.\textsuperscript{40} As a general rule, the lower a law review’s ranking, the larger was its percentage of authors other than full-time law professors. Most law reviews ranked below one hundred that were surveyed had at least as many authors who were not law professors as authors who were.

Finally, it is significant that, within the “other” category of law review article authors cited by the Justices, the single largest subgroup was composed of full-time professors from university departments other than the law school. Professors of economics, history, and political science predominated in this subgroup. One of the major controversies in the legal academy since the 1970s has been whether law professors should focus on interdisciplinary legal scholarship (“law and . . . ”).\textsuperscript{41} The fact that the Supreme Court has

\textsuperscript{39}. See supra note 12 and infra Part II.C. Those law reviews are at the law schools at Harvard, Columbia, Yale, Stanford, NYU, Virginia, Berkeley, Penn, Michigan, and Georgetown. I reviewed the editions available at the law reviews’ websites as of October 2011. All but two of the law reviews’ editions then available were from June 2011; one was from December 2010, and one was from October 2011.


\textsuperscript{41}. See, e.g., Richard A. Posner, Legal Scholarship Today, 115 HARV. L. REV. 1314, 1321 (2002) (“Traditional doctrinal scholarship is disvalued at the leading law schools. They want their faculties to engage in ‘cutting edge’ research and thus orient their scholarship toward, and seek their primary readership among, other scholars, not even limited to law professors, though they are the principal audience.”); Charles W. Collier, The Use and Abuse of Humanistic Theory in Law: Reexamining the Assumptions of Interdisciplinary Legal Scholarship, 41 DUKE L.J. 191, 192 (1991).
cited a substantial number of law review articles written by professors who are not members of the legal academy suggests that many law professors are needlessly working in such areas of scholarship.

C. Rankings of Law Reviews in Which Cited Articles Were Published

It is widely known that today's law professors, particularly at top-tier law schools, are expected to publish articles in prestigious law reviews in order to gain tenure and promotion. Increasingly, at least at the schools in the upper echelons of the rankings, an aspiring professor must first publish in a highly ranked law review in order to be hired in the first place.

With the decision by the Justices to cite particular law review articles serving as a strong indicator of article worth (and by association the worth of the journal in which it appears), an empirical analysis of the law reviews cited by the Justices is important to test the validity of law review rankings. Although there is no consensus among members of the academy about the best way to rank law reviews, the most widely accepted system of ranking appears to be the W&L system that is based primarily on a complex formula of citations.

42. See David C. Yamada, Therapeutic Jurisprudence and the Practice of Legal Scholarship, 41 U. MEM. L. REV. 121, 123–24, 132 (2010) (discussing “rankism” in the article placement process and observing that “the quest for the proverbial ‘good placement’ has come to dominate faculty discussions of scholarship”); see also Alfred L. Brophy, The Signaling Value of Law Reviews: An Exploration of Citations and Prestige, 36 Fla. St. U. L. REV. 229, 230 (2009) (discussing the legal academy’s obsession with law review rankings and prestige, and how evaluators often use journal placement in terms of ranking as a proxy for quality); Leah M. Christensen & Julie A. Oseid, Navigating the Law Review Selection Process: An Empirical Study of Those with All the Power—Student Editors, 59 S.C. L. REV. 175, 179 & n.11 (2007) (observing that, for new professors, “success in the legal academy may depend on what, where, and how often they publish in the appropriate law journal,” and specifically noting that some “promotion and tenure committees . . . [likely have] written or unwritten policies” requiring publication in higher ranked law journals); Kenneth Lasson, Scholarship Amok: Excesses in the Pursuit of Truth and Tenure, 103 HARV. L. REV. 926, 948–49 (1990) (“Besides the life-force craving of promotion and tenure, for many a law professor image is easily as important as substance . . . . To be published, even cited, in an Ivy League law review is considered to be a feather in one’s professional cap.”).

43. See Nora V. Demleitner, Colliding or Coalescing: Leading a Faculty and an Administration in the Academic Enterprise, 42 U. TOL. L. REV. 605, 608 & n.15 (2011) (citing several sources in support of the proposition that “calibrating the ‘success’ of scholarship is difficult [with respect to assessing prospective faculty members], and seems to focus largely on the ranking and name prestige of the law review in which the author publishes”); see also Newton, supra note 2, at 133–34.

counts (in other law reviews and judicial opinions) during a preceding eight-year period. Because the overwhelming majority of such citations appear in other law professors’ articles published in law reviews rather than in judicial decisions, this ranking system, although not perfect, is a fairly good barometer of legal academia’s view of the worth of a particular law review. Indeed, as Professor Brophy has shown, there is a strong correlation between the U.S. News & World Report ranking of a law school and the W&L ranking of the law school’s flagship law review. Thus, the present study analyzed the 2010 W&L system rankings of the law reviews that published articles cited by the Supreme Court during the study period. Of the 1023 articles cited by the Justices, 1020 appeared in law reviews that were ranked by the W&L system.

The average (mean) W&L ranking of the 1023 cited articles was 92, the median was 21, and the mode was 1. The mode indicates that the top-ranked law review, the Harvard Law Review, was cited the most times (102 or 10.1%) among the 1023 total citations. Although elite law reviews were cited disproportionally—articles in the top ten law reviews were cited 384 times (or 37.5% of the 1023 citations)—the Justices cited over 100 articles appearing in law reviews ranked at 300 or below. The results are somewhat consistent with Professor Sirico’s empirical studies of cited law review articles from the 1970s through the 1990s, although the Court in past decades cited top ten law reviews in higher proportion than the Justices have in the first decade of the twenty-first century. His study shows that in the early 1970s, 58.36% of all the Justices’ citations were to articles published in the law reviews at Harvard, Yale, Columbia, Penn,

45. See WASH. & LEE U. SCH. LAW, supra note 10.
46. Lasson, supra note 17, at 932 (“[A]s a casual glance through Shepard’s Law Review Citations will disclose, the overwhelming majority of articles are noted not by courts or legislatures, but by one another” (emphasis in original)).
48. A significant problem with a ranking system based on citation counts is that it tends to favor reviews that publish more articles annually. The more articles published by a particular journal, the more likely one of its articles will be cited. Flagship journals at major law schools (including all of the top-ranked schools) typically publish many more pages annually than flagship journals at lower-ranked schools or specialty law reviews at any school (and the latter typically publish fewer editions annually than flagship journals). The W&L system mitigates this bias to some degree with its impact-factor. See Explanation, WASH. & LEE U. SCH. LAW, http://lawlib.wlu.edu/LJ/method.asp#impactfactor (last visited May 1, 2012).
Virginia, Chicago, Berkeley, Michigan, NYU, and Georgetown.\textsuperscript{49} A decade later, 56.84\% of the citations were to articles in the top ten law reviews (with Stanford having replaced Georgetown at the number ten spot).\textsuperscript{50} By the early 1990s, that figure had decreased to 52.69\%, and, by the late 1990s, it had dropped further to 47.97\%.\textsuperscript{51} As noted above, over the past decade, the Justices cited articles from the top ten law reviews 37.5\% of the time they cited to law review articles.\textsuperscript{52}

Professor Sirico’s study and the present study, when considered together, demonstrate an increase in citations to lower-tier law reviews by the Supreme Court over the past few decades. His data show that, in the early 1970s, articles published in law reviews constituting the bottom fifty percent of all law reviews cited by the Court (i.e., non-elite journals) accounted for only 9.03\% of all cited articles, while by the late 1990s, articles in such law reviews constituted 16.97\% of citations.\textsuperscript{53} The finding in the present study that the mean W&L ranking for cited articles in the past decade was ninety-two is further evidence that articles in non-elite law reviews are increasingly being cited by the Justices.

There are at least three apparent explanations for this increase in the percentage of the Justices’ citations to articles in lower-ranked reviews and the corresponding proportional decline in their citations to articles in elite law reviews. First, recent decades have seen many new law reviews come into being,\textsuperscript{54} and thus, more law review scholarship is available to the Justices. Second, increasingly since the 1970s, the highly ranked law reviews have tended to publish scholarly articles written by law professors for law professors, rather than for members of the bench and bar.\textsuperscript{55} Third, with the as-

\textsuperscript{49} See Sirico, Jr., supra note 27, at 1014.
\textsuperscript{50} See id. at 1010–11 n.11, 1014.
\textsuperscript{51} See id.
\textsuperscript{52} Professor Sirico’s ranking system was based on the Court’s own citation practices (i.e., journals were ranked based on how frequently the Court cited to them). See Sirico, Jr., supra note 27, at 1014. Thus, he did not rank the reviews according to some external ranking system, as I did using the W&L system. Nonetheless, his ranking system, while different, closely correlates with the W&L ranking system, particularly for the top ten reviews. The top ten law reviews according to the W&L ranking system were Harvard, Columbia, Yale, Stanford, NYU, Virginia, Berkeley, Penn, Michigan, and Georgetown. Other than the omission of Chicago and addition of Stanford and Georgetown, Professor Sirico’s top ten ranking by Court citation frequency was the same.
\textsuperscript{53} Sirico, Jr., supra note 27, at 1014.
\textsuperscript{54} See supra note 17 and accompanying text.
\textsuperscript{55} See, e.g., David Hricik & Victoria S. Salzmann, Why There Should Be Fewer Articles Like This One: Law Professors Should Write More for Legal Decision-Makers and Less for Themselves, 38
cendancy of legal databases such as Westlaw and Lexis beginning in the 1980s, the Justices and their law clerks have had more access to non-elite law review articles than in prior years (when they were limited to researching the stacks in the law library and may have gravitated toward the more familiar, highly ranked law reviews). When one researches law review scholarship in a legal computer database using search terms, the search engine does not discriminate based on the rankings of the relevant law review articles.

Whatever the explanation, since the 1970s, the Court has been increasingly citing legal scholarship published in lower-ranked law reviews. The Court appears more receptive to those articles than the professoriate at highly ranked law schools, who dominate the culture in legal academia. It seems highly improbable that most elite law schools would hire, promote, and award tenure to a professor who only published articles in law reviews ranked at or near ninety-two by the W&L system—law reviews such as the Buffalo Law Review, University of Washington Law Review, American Business Law Journal, and Fordham Urban Law Journal (ranked ninetieth, ninetieth, ninety-second, and ninety-third, respectively).

**Conclusion**

The present empirical analysis of the twenty-first century Supreme Court Justices’ citation of law review articles, coupled with other similar studies, yields at least three major conclusions:

(1) The current Justices have cited law review articles less frequently than their predecessors did in the three decades before, which suggests that the current Justices may view current law review scholarship as less useful than the members of the Court did a generation ago.

(2) Nearly four out of ten cited article authors were not full-time members of the legal academy. Considering that writing law review articles is the primary activity of

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*SUFFOLK U. L. REV. 761 (2005); see also Harry T. Edwards, The Growing Disjuncture Between Legal Education and the Legal Profession, 91 MICH. L. REV. 34, 36 (1992) (“Our law reviews are now full of mediocre interdisciplinary articles. Too many law professors are ivory tower dilettantes, pursuing whatever subject piques their interest, whether or not the subject merits scholarship, and whether or not they have the scholarly skills to master it.” (emphasis in original)); Richard A. Posner, The Future of the Student-Edited Law Review, 47 STAN. L. REV. 1131, 1132-33 (1995) (“[There] was a time when legal scholarship was understood to be doctrinal scholarship, and the more technical and intricate the doctrine, the better . . . . Doctrinal scholarship as a fraction of all legal scholarship underwent a dramatic decline to make room for a host of new forms of legal scholarship—interdisciplinary, theoretical, nondoctrinal . . . .”).*
America’s ten-thousand-plus full time law professors, the fact that the Justices cite so many articles written by other authors suggests that much of the professorate’s scholarship may not have value or relevance to the Justices (or to the bench and bar generally).

(3) The Justices have cited articles from the full gamut of law reviews in the rankings, including many law reviews that are not deemed tenure-worthy, at least from the perspective of the hiring and promotion committees at many elite law schools.

As the present study demonstrates, an examination of legal scholarship through the eyes of the twenty-first century Justices can provide important insights about the contemporary value of law review articles. The legal academy would do well to take a closer look.  

56. Future research on the Court’s practice of citing law review articles might examine the following areas not addressed in this Article:

(1) the purposes for which the Justices have cited articles (e.g., for factual propositions based on data contained in an article or for a legal proposition based on legal arguments made in an article) and whether those purposes have differed over time;

(2) whether articles cited by the Justices were first cited in the briefs of the parties or amici curiae;

(3) a comparison of the Justices’ citations to law review articles with their citations to other secondary sources (e.g., legal treatises and social science journal articles) and whether the ratio between such types of citations has changed over time; and

(4) the average number of years between the cited articles’ publication date and the date of the opinions in which they were cited (providing some perspective on whether older legal scholarship may have more practical value than modern legal scholarship).
Law Review Scholarship in the Eyes of the Twenty-First Century Supreme Court Justices: An Empirical Analysis

Brent E. Newton

Appendix: Opinions Issued During 2001-11, in Which One or More Justices Cited at Least One Law Review Article

   Id. at 177 (Stevens, J., dissenting) (citing Sam Kalen, Commerce to Conservation: The Call for a National Water Policy and the Evolution of Federal Jurisdiction Over Wetlands, 69 N.D. L. Rev. 873 (1993)).
   Author: Associate, Van Ness, Feldman & Curtis
   Law Review Ranking: 454

   No citations

   Id. at 221 (Breyer, J., dissenting) (citing James F. Loebl, Does the Excluded COD Income of an Insolvent S Corporation Increase the Basis of the Shareholders’ Stock?, 52 U. Fla. L. Rev. 957 (2000)).
   Author: Assistant Professor, Indiana University-Purdue University Fort Wayne (business school)
   Law Review Ranking: 46

Id. (Breyer, J., dissenting) (citing James D. Lockhart & James E. Duffy, Tax Court Rules in Nelson That S Corporation Excluded COD Income Does Not Increase Shareholder Stock Basis, 25 WM. MITCHELL L. REV. 287 (1999)).
Authors: James D. Lockhart: Certified Public Accountant, Lurie, Besikof, Lapidus & Co., LLP; James E. Duffy: Tax Attorney, Briggs and Morgan
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Id. at 345 (Rehnquist, C.J., majority opinion) (citing Jonathan S. Kahan, Premarket Approval Versus Premarket Notification, 39 FOOD DRUG COSM. L. J. 510 (1984)).

Author: Partner, Hogan & Hartson

Law Review Ranking: not ranked

Id. at 350 (Rehnquist, C.J., majority opinion) (citing James M. Beck & Elizabeth D. Azari, FDA, Off-Label Use, and Informed Consent: Debunking Myths and Misconceptions, 53 FOOD & DRUG L.J. 71 (1998)).

Authors: James M. Beck: Partner, Pepper Hamilton, LLP; Elizabeth D. Azari: Partner, Pepper Hamilton, LLP

Law Review Ranking: 331

Id. at 351 n.5 (Rehnquist, C.J., majority opinion) (citing Michael D. Green & William B. Schultz, Tort Law Deference to FDA Regulation of Medical Devices, 88 GEO. L.J. 2119 (2000)).

Authors: Michael D. Green: Professor of Law, University of Iowa; William B. Schultz: Deputy Assistant Attorney General, U.S. Dep’t of Justice

Law Review Ranking: 10


Author: [Physician] M.D., J.D.


   Authors: Robert C. Post: Alexander F. & May T. Morrison Professor of Law, University of California, Berkeley; Reva B. Siegel: Nicholas deB. Katzenbach Professor of Law, Yale Law School

   Law Review Ranking: 331


   No citations


   Id. at 444 (O'Connor, J., majority opinion) (citing William R. Casto, The Origins of Federal Admiralty Jurisdiction in an Age of Privateers, Smugglers, and Pirates, 37 AM. J. LEGAL HIST. 117 (1993)).

   Author: Professor of Law, Texas Tech University School of Law

   Law Review Ranking: 720


   Id. at 495 (Breyer, J., concurring) (citing Cass R. Sunstein, Is the Clean Air Act Unconstitutional?, 98 MICH. L. REV. 303 (1999)).

   Author: Karl N. Llewellyn Distinguished Service Professor of Jurisprudence, University of Chicago Law School and Department of Political Science

   Law Review Ranking: 9


   Id. at 508 (Scalia, J., majority opinion) (citing Ronan E. Degnan, Federalized Res Judicata, 85 YALE L. J. 741 (1976)).

   Author: Professor of Law, University of California, Berkeley

   Law Review Ranking: 3


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<td>Author: Max Pam Professor of American and Foreign Law, University of Chicago</td>
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<td><em>Id.</em> at 213 (Ginsburg, J., majority opinion) (citing Walter Wheeler Cook, “Substance” and “Procedure” in the Conflict of Laws, 42 YALE L.J. 333 (1933)).</td>
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<td>Author: Professor of Law, The Institute of Law, The Johns Hopkins University (now defunct)</td>
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<td><em>Id.</em> at 310 n.19 (Stevens, J., dissenting) (citing Charles F. Abernathy, <em>Title VI and the Constitution: A Regulatory Model for Defining “Discrimination,”</em> 70 GEO. L.J. 1 (1981)).</td>
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<td>Author: Associate Professor of Law, Georgetown University Law Center</td>
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Id. at 343 (Souter, J., majority opinion) (citing Horace L. Wilgus, Arrest Without a Warrant, 22 Mich. L. Rev. 541 (1924)).

Author: Professor of Law, University of Michigan
Law Review Ranking: 9


No citations


No citations


No citations


Id. at 432 n.5 (Stevens, J., majority opinion) (citing Cass R. Sunstein, et al., Assessing Punitive Damages (With Notes on Cognition and Valuation in Law), 107 Yale L.J. 2071 (1998)).

Authors: Cass R. Sunstein: Karl N. Llewellyn Distinguished Service Professor, Law School and Department of Political Science, University of Chicago; Daniel Kahneman: Eugene Higgins Professor of Psychology and Professor of Public Affairs, Princeton University; David Schkade: Professor of Management and William M. Spriegel Fellow, Graduate School of Business, University of Texas, Austin
Law Review Ranking: 3
Id. at 437 n.11 (Stevens, J., majority opinion) (citing Note, Exemplary Damages in the Law of Torts, 70 HARV. L. REV. 517 (1957)).
Author: [Law student] Harvard Law School
Law Review Ranking: 1

Id. at 438–39 (Stevens, J., majority opinion) (citing A. Mitchell Polinsky & Steven Shavell, Punitive Damages: An Economic Analysis, 111 HARV. L. REV. 869 (1998)).
Authors: A. Mitchell Polinsky: Josephine Scott Crocker Professor of Law and Economics, Stanford Law School; Steven Shavell: Professor of Law and Economics, Harvard Law School
Law Review Ranking: 1

Id. at 439–40 (Stevens, J., majority opinion) (citing Marc Galanter & David Luban, Poetic Justice: Punitive Damages and Legal Pluralism, 42 AM. U. L. REV. 1393 (1993)).
Authors: Marc Galanter: Evjue-Bascom Professor of Law and South Asian Studies, University of Wisconsin-Madison; David Luban: Morton and Sophia Macht Professor of Law, University of Maryland
Law Review Ranking: 47

Id. at 439 (Stevens, J., majority opinion) (citing Cass R. Sunstein, et al., Do People Want Optimal Deterrence?, 29 J. LEGAL STUD. 237 (2000)).
Authors: Cass R. Sunstein: Karl N. Llewellyn Distinguished Service Professor, Law School and Department of Political Science, University of Chicago; Daniel Kahneman: Eugene Higgins Professor of Psychology and Professor of Public Affairs, Princeton University; David Schkade: Professor of Management and William M. Spriegel Fellow, Graduate School of Business, University of Texas, Austin
Law Review Ranking: 78


Id. at 463 (O’Connor, J., majority opinion) (citing Donald E. Walther, Comment, Taming a Phoenix: The Year-and-a-Day Rule in Federal Prosecutions for Murder, 59 U. CHI. L. REV. 1337 (1992)).
Law Review Ranking: 16

No citations

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Id. at 534 (Stevens, J., majority opinion) (citing Samuel D. Warren & Louis D. Brandeis, The Right to Privacy, 4 Harv. L. Rev. 193 (1890)).
Authors: Samuel D. Warren: [Practitioner]; Louis D. Brandeis: [Practitioner]
Law Review Ranking: 1

Id. at 549 (Rehnquist, C.J., dissenting) (citing Kimberly R. Thompson, Note, Cell Phone Snooping: Why Electronic Eavesdropping Goes Unpunished, 35 AM. CRIM. L. REV. 137 (1997)).
Law Review Ranking: 66


Id. at 576 (Breyer, J., majority opinion) (citing David Fellman, The Diminution of Judicial Salaries, 24 IOWA L. REV. 89 (1938)).
Author: Instructor in Political Science, University of Nebraska
Law Review Ranking: 22

Id. (Breyer, J., majority opinion) (citing Comment, Constitutional Law-Federal Taxation-Income Tax on Salary of Subsequently Appointed Federal Judge, 20 U. ILL. L. REV. 376 (1925)).
Author: [Law student] Northwestern Law School
Law Review Ranking: 13

Id. at 580 (Breyer, J., majority opinion) (citing Keith S. Rosenn, The Constitutional Guaranty Against Diminution of Judicial Compensation, 24 UCLA L. REV. 308 (1976)).
Author: Professor of Law, Ohio State University College of Law
Law Review Ranking: 12

No citations


Id. at 639 (Ginsburg, J., dissenting) (citing Keith N. Hylton, Fee Shifting and Incentives to Comply with the Law, 46 VAND. L. REV. 1069 (1993)).
Author: Associate Professor of Law, Northwestern University
Law Review Ranking: 19

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   Id. at 830 n.7 (Souter, J., majority opinion) (citing Don Leatherman, Are Separate Liability Losses Separate for Consolidated Groups?, 52 TAX. LAW. 663 (1999)).
   Author: Associate Professor of Law, University of Tennessee College of Law
   Law Review Ranking: 117
   No citations
   Id. at 10 (Stevens, J., majority opinion) (citing Anthony E. Rothschild, Comment, Prejudgment Interest: Survey and Suggestion, 77 NW. U. L. REV. 192 (1982)).
   Author: [Law student] Northwestern Law School
   Law Review Ranking: 13
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   Id. at 230 n.11 (Souter, J., majority opinion) (citing Thomas
   W. Merrill & Kristin E. Hickman, Chevron’s Domain, 89
   GEO. L.J. 833 (2001)).
   Authors: Thomas W. Merrill: John Paul Stevens Professor of
   Law, Northwestern University; Kristin E. Hickman:
   [Practitioner] Member of Bar, Illinois
   Law Review Ranking: 10

   Id. at 232 (Souter, J., majority opinion) (citing Peter L.
   Strauss, The Rulemaking Continuum, 41 DUKE L.J. 1463 (1992)).
   Author: Betts Professor of Law, Columbia University
   Law Review Ranking: 21

   Id. at 241 n.2 (Scalia, J., dissenting) (citing Robert A.
   Anthony, The Supreme Court and the APA: Sometimes They Just
   Don’t Get It, 10 ADMIN. L.J. AM. U. 1 (1996)).
   Author: GMU Foundation Professor of Law Emeritus,
   George Mason University
   Law Review Ranking: not ranked

   Id. at 255–56 (Scalia, J., dissenting) (citing John F. Manning,
   Constitutional Structure and Judicial Deference to Agency
   Interpretations of Agency Rules, 96 COLUM. L. REV. 612 (1996)).
   Author: Associate Professor of Law, Columbia University
   Law Review Ranking: 2

   Id. at 256 (Scalia, J., dissenting) (citing Robert A. Anthony,
   Which Agency Interpretations Should Bind Citizens and the
   Courts?, 7 YALE J. ON REG. 1 (1990)).
   Author: Professor of Law, George Mason University
   Law Review Ranking: 61

  No citations

   Id. at 296 n.5 (Stevens, J., majority opinion) (citing Julie K.
   Rannik, The Anti-Terrorism and Effective Death Penalty Act of
   1996: A Death Sentence for the 212(c) Waiver, 28 U. MIAMI
   Author: [Law student] J.D. Candidate 1997, University of
   Miami School of Law
   Law Review Ranking: 606
Id. at 299 n.10 (Stevens, J., majority opinion) (citing William N. Eskridge, Jr. & Philip P. Frickey, Quasi-Constitutional Law: Clear Statement Rules as Constitutional Lawmaking, 45 VAND. L. REV. 593 (1992)).

Authors: William N. Eskridge: Professor of Law, Georgetown University Law Center; Philip P. Frickey: Faegre & Benson Professor of Law, University of Minnesota Law Review Ranking: 19

Id. at 301 n.13 (Stevens, J., majority opinion) (citing Gerald L. Neuman, Habeas Corpus, Executive Detention, and the Removal of Aliens, 98 COLUM. L. REV. 961 (1998)).

Author: Herbert Wechsler Professor of Federal Jurisprudence, Columbia Law School Law Review Ranking: 2

Id. at 304 (Stevens, J., majority opinion) (citing Jonathan L. Hafetz, Note, The Untold Story of Noncriminal Habeas Corpus and the 1996 Immigration Acts, 107 YALE L.J. 2509 (1998)).

Author: [Law student] Yale Law School Law Review Ranking: 3

Id. at 305 (Stevens, J., majority opinion) (citing Henry M. Hart, Jr., The Power of Congress to Limit the Jurisdiction of Federal Courts: An Exercise in Dialectic, 66 HARV. L. REV. 1362 (1953)).

Author: Professor of Law, Harvard Law School Law Review Ranking: 1

Id. at 306 (Stevens, J., majority opinion) (citing Gerald L. Neuman, Jurisdiction and the Rule of Law After the 1996 Immigration Act, 113 HARV. L. REV. 1963 (2000)).

Author: Herbert Wechsler Professor of Federal Jurisprudence, Columbia Law School Law Review Ranking: 1

Id. at 315 n.39 (Stevens, J., majority opinion) (citing Stephan H. Legomsky, Fear and Loathing in Congress and the Courts: Immigration and Judicial Review, 78 TEX. L. REV. 1615 (2000)).

Author: Charles F. Nagel Professor of International and Comparative Law and Director, Institute for Global Legal Studies, Washington University Law Review Ranking: 11

Id. at 343–44 (Scalia, J., dissenting) (citing Developments in the Law — Federal Habeas Corpus, 83 HARV. L. REV. 1038 (1970)).

Author: [Law student(s)] Harvard Law School Law Review Ranking: 1

No citations


Id. at 384 (Souter, J., concurring) (citing Nell Jessup Newton, Tribal Court Praxis: One Year in the Life of Twenty Indian Tribal Courts, 22 Am. Indian L. Rev. 285 (1998)).

Author: Professor of Law, American University, Washington College of Law

Law Review Ranking: 440

Id. (Souter, J., concurring) (citing Ada Pecos Melton, Indigenous Justice Systems and Tribal Society, 79 JUDICATURE 126 (1995)).

Author: Director, American Indian and Alaskan Native Desk at the Office of Justice Programs, U.S. Department of Justice

Law Review Ranking: 505

Id. at 404 n.4 (Stevens, J., concurring) (citing Note, Limiting the Section 1983 Action in the Wake of Monroe v. Pape, 82 HARV. L. REV. 1486 (1969)).

Author: [Law student] Harvard Law School

Law Review Ranking: 1


Id. at 425 (Breyer, J., dissenting) (citing Robert Post, The Constitutional Status of Commercial Speech, 48 UCLA L. REV. 1 (2000)).

Author: Alexander F. and May T. Morrison Professor of Law, University of California, Berkeley, School of Law (Boalt Hall)

Law Review Ranking: 12


Id. at 442 n.8 (Souter, J., majority opinion) (citing Vincent Blasi, Free Speech and the Widening Gyre of Fundraising, 94 COLUM. L. REV. 1281 (1994)).

Author: Corliss Lamont Professor of Civil Liberties, Columbia Law School

Law Review Ranking: 2

Id. at 448 n.10 (Souter, J., majority opinion) (citing Supreme Court, 1996 Term, Leading Cases, Associational Rights of Political Parties, 111 HARV. L. REV. 197 (1997)).

Authors: [Law student(s)] Harvard Law School

Author: Professor of Law, Albany Law School of Union University

Law Review Ranking: 144

Id. at 462–63 (Souter, J., majority opinion) (citing Richard Briffault, *The Political Parties and Campaign Finance Reform*, 100 COLUM. L. REV. 620 (2000)).

Author: Vice-Dean and Joseph P. Chamberlain Professor of Legislation, Columbia University School of Law

Law Review Ranking: 2


Id. at 495 n.3 (Ginsburg, J., majority opinion) (citing Barbara Ringer, *First Thoughts on the Copyright Act of 1976*, 22 N.Y.L. SCH. L. REV. 477 (1977)).

Author: U.S. Register of Copyrights

Law Review Ranking: 174

Id. at 497 (Ginsburg, majority opinion) (citing Wendy J. Gordon, *Fine-Tuning Tasini: Privileges of Electronic Distribution and Reproduction*, 66 BROOK. L. REV. 473 (2000)).

Author: Professor of Law and Paul J. Liacos Scholar in Law, Boston University School of Law

Law Review Ranking: 55


Author: Dean of Graduate Studies and International Programs, Columbia Law School

Law Review Ranking: 153


Author: Bruce Bromley Professor of Law, Harvard University

Law Review Ranking: 1
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Id. (Stevens, J., dissenting) (citing Stephen Breyer, The Uneasy Case for Copyright: A Study of Copyright in Books, Photocopies, and Computer Programs, 84 HARV. L. REV. 281 (1970)).
Author: Professor of Law, Harvard Law School
Law Review Ranking: 1

Id. at 575 (Kennedy, J., concurring) (citing Alex Kozinski & Stuart Banner, Who’s Afraid of Commercial Speech?, 76 VA. L. REV. 627 (1990)).
Authors: Alex Kozinski: Judge, U.S. Court of Appeals for the Ninth Circuit; Stuart Banner: Judicial law clerk, U.S. Court of Appeals for the Ninth Circuit, 1988–89
Law Review Ranking: 6

Id. at 628 (Kennedy, J. majority opinion) (citing Robert C. Ellickson, Property in Land, 102 YALE L.J. 1315 (1992).
Author: Walter E. Meyer Professor of Property and Urban Law, Yale Law School
Law Review Ranking: 3

No citations

Id. at 720 (Kennedy, J., dissenting) (citing Charles D. Weisselberg, The Exclusion and Detention of Aliens: Lessons From the Lives of Ellen Knauff and Ignatz Mezei, 143 U. PA. L. REV. 933 (1995)).
Author: Clinical Professor, University of Southern California
No citations

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Id. at 212 (Scalia, J., majority opinion) (citing Dana M. Muir, ERISA Remedies: Chimera or Congressional Compromise?, 81 IOWA L. REV. 1, 36–37 (1995)).  
Author: Assistant Professor, University of Michigan School of Business  
Law Review Ranking: 22

Id. at 212–13 (Scalia, J., majority opinion) (citing Martin H. Redish, Seventh Amendment Right to Jury Trial: A Study in the Irrationality of Rational Decision Making, 70 NW. U. L. REV. 486 (1975)).  
Author: Assistant Professor of Law, Northwestern University  
Law Review Ranking: 13

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Author: Director, National Task Force on Civil Liberties in
the Workplace, American Civil Liberties Union
Law Review Ranking: 124


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Author: Associate Professor of Law, Emory University School of Law
Law Review Ranking: 14

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Author: Ferdinand Wakeman Hubbell Professor of Law, University of Pennsylvania Law School and Professor of Psychology and Law in Psychiatry, University of Pennsylvania School of Medicine
Law Review Ranking: 8

Id. (citing Bruce J. Winick, Sex Offender Law in the 1990s: A Therapeutic Jurisprudence Analysis, 4 PSYCHOL. PUBL. POL’Y & L. 505 (1998)).
Author: Professor of Law, University of Miami School of Law
Law Review Ranking: 392

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Author: Associate Professor of Law, Suffolk University Law School
Law Review Ranking: 15


Author: Associate Professor of Law, Arizona State University, College of Law
Law Review Ranking: 6

No citations

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Id. at 281 (O’Connor, J., majority opinion) (citing John V. Orth, Tenancy by the Entirety: The Strange Career of the Common-Law Marital Estate, 1997 BYU L. REV. 35 (1997)).

Author: William Rand Kenan, Jr., Professor of Law, University of North Carolina at Chapel Hill
Law Review Ranking: 96

Id. at 285 (O’Connor, J., majority opinion)(citing Steve R. Johnson, After Drye: The Likely Attachment of the Federal Tax Lien to Tenancy-by-the-Entireties Interests, 75 IND. L.J. 1163 (2000)).

Author: Professor of Law, Indiana University School of Law-Bloomington
Law Review Ranking: 203

Id. (Rehnquist, J., concurring) (citing William Michael Treanor, The Original Understanding of the Takings Clause and the Political Process, 95 COLUM. L. REV. 782 (1995)).
Author: Associate Professor of Law, Fordham Law School

Id. at 338 n.33 (Stevens, J., majority opinion) (citing Robert H. Freilich, Interim Development Controls: Essential Tools for Implementing Flexible Planning and Zoning, 49 J. URB. L. 65 (1972)).
Author: Professor, University of Missouri-Kansas City School of Law
Law Review Ranking: 481

Id. at 352 (Rehnquist, J., concurring) (citing William Michael Treanor, The Original Understanding of the Takings Clause and the Political Process, 95 COLUM. L. REV. 782 (1995)).
Author: Associate Professor of Law, Fordham Law School
Law Review Ranking: 2

No citations

Id. at 404 (Breyer, J., majority opinion) (citing Carl Gersuny, Origins of Seniority Provisions in Collective Bargaining, 33 LAB. L.J. 518 (1982)).
Author: Professor of Sociology, University of Rhode Island.
Law Review Ranking: 948

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Id. at 478 (Souter, J., majority opinion) (citing Robert L. Hale, Commissions, Rates, and Policies, 53 HARV. L. REV. 1103 (1940)).
Author: Professor of Law, Harvard Law School
Law Review Ranking: 1

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Authors: J. Gregory Sidak: F.K. Weyerhaeuser Fellow in Law
and Economics, American Enterprise Institute for Public Policy Research and Senior Lecturer, Yale School of Management; Daniel F. Spulber: Thomas G. Ayers Professor of Energy Resource Management and Professor of Management Strategy, J. L. Kellogg Graduate School of Management, Northwestern University

Law Review Ranking: 2

*Id.* at 482 n.5 (Souter, J., majority opinion) (citing Edwin C. Goddard, *The Problem of Valuation*, 41 HARV. L. REV. 564 (1928)).

Author: Professor of Law, University of Michigan Law School

Law Review Ranking: 1


Authors: Michael Glover: Senior Vice President & Deputy General Counsel, Verizon Communications; Donna Epps: Federal Regulatory Counsel, Verizon Communications

Law Review Ranking: 117

*Id.* at 551 (Breyer, J., concurring in part and dissenting in part) (citing Thomas M. Jorde, et al., *Innovation, Investment, and Unbundling*, 17 YALE J. ON REG. 1 (2000)).

Authors: Thomas M. Jorde: Professor of Law, University of California, Berkeley; J. Gregory Sidak: F. K. Weyerhaeuser Fellow in Law and Economics, American Enterprise Institute for Public Policy Research and Senior Lecturer, Yale School of Management; David J. Teece: Mitsubishi Bank Professor, Haas School of Business, and Director, Institute for Management, Innovation, and Organization, University of California, Berkeley

Law Review Ranking: 61

*Id.* at 549 (Breyer, J., concurring in part and dissenting in part) (citing Günter Knieps, *Interconnection and Network Access*, 23 FORDHAM INT’L L.J. 590 (2000)).

Author: Professor of Economics, Albert-Ludwigs-Universität, Freiburg, Germany

Law Review Ranking: 121

*Id.* at 551 (Breyer, J., concurring in part and dissenting in part) (citing J. Gregory Sidak & Daniel F. Spulber, *Deregulation and Managed Competition in Network Industries*, 15 YALE J. ON REG. 117 (1998)).

Authors: J. Gregory Sidak: F. K. Weyerhaeuser Fellow in Law and Economics, American Enterprise Institute for Public Policy Research and Senior Lecturer, Yale School of
Management; Daniel F. Spulber: Thomas G. Ayers Professor of Energy Resource Management and Professor of Management Strategy, J. L. Kellogg Graduate School of Management, Northwestern University
Law Review Ranking: 61

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   Author: [Law student] William and Mary University School of Law
   Law Review Ranking: 20

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   Id. at 770 (Stevens, J., dissenting) (citing Caleb Nelson, Sovereign Immunity as a Doctrine of Personal Jurisdiction, 115 HARV. L. REV. 1561 (2002)).
   Author: Associate Professor, University of Virginia School of Law
   Law Review Ranking: 1

   Id. at 774 (Stevens, J., dissenting) (citing David L. Shapiro, The Choice of Rulemaking or Adjudication in the Development of Administrative Policy, 78 HARV. L. REV. 921 (1965)).
   Author: Assistant Professor of Law, Harvard Law School
   Law Review Ranking: 1

   Id. (Stevens, J., dissenting) (citing Henry J. Friendly, The Federal Administrative Agencies: The Need for Better Definition of Standards, 75 HARV. L. REV. 863 (1962)).
   Author: United States Circuit Judge for the Second Circuit
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Id. at 779 (Stevens, J., dissenting) (citing Gregory A. Mark, The Vestigial Constitution: The History and Significance of the Right to Petition, 66 FORDHAM L. REV. 2153 (1998)).

Author: Associate Professor, Rutgers University School of Law—Newark

Law Review Ranking: 17

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Author: Assistant Professor of Law, Widener University School of Law

Law Review Ranking: 36


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Author: Professor of Law, New York University

Law Review Ranking: 5


No citations


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Author: Coker Fellow and J.D., 1997, Yale Law School

Law Review Ranking: 720

Id. (Stevens, J., dissenting) (citing Akhil Reed Amar & Renee B. Lettow, Fifth Amendment First Principles: The Self-Incrimination Clause, 93 MICH. L. REV. 857 (1995)).

Authors: Akhil Reed Amar; Southmayd Professor, Yale Law School; Renee B. Lettow: [Law student] Yale Law School

Law Review Ranking: 9


No citations

126. JPMorgan Chase Bank v. Traffic Stream (BVI) Infrastructure,
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Author: University Research Professor of Law, University of Alabama School of Law
Law Review Ranking: 21


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Authors: James W. Ellis: Professor of Law, University of New Mexico; Ruth A. Luckasson: Assistant Professor and Presidential Lecturer in Special Education, University of New Mexico
Law Review Ranking: 36


Authors: Ronald J. Tabak: Special Counsel and Coordinator of Pro Bono Work, Skadden, Arps, Slate, Meagher & Flom; Chair, Death Penalty Committee, American Bar Association, Committee of Individual Rights and Responsibilities; President, New York Lawyers Against the Death Penalty; J. Mark Lane: [Law student] New York University School of Law
Law Review Ranking: 102

Author: Thomas G. and Mabel A. Long Professor of Law, University of Michigan
Law Review Ranking: 14

No citations

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Author: Assistant Professor of Law, University of Michigan
Law Review Ranking: 9

No citations


Id. at 532 (O’Connor, J., majority opinion) (citing Carol Rice Andrews, *A Right of Access to Court Under the Petition Clause of the First Amendment: Defining the Right*, 60 OHIO ST. L.J. 557 (1999)).
Author: Associate Professor of Law, University of Alabama School of Law
Law Review Ranking: 43


Id. at 561 (Kennedy, J., plurality opinion) (citing Nancy J. King & Susan R. Klein, *Essential Elements*, 54 VAND. L. REV. 1467 (2001)).
Authors: Nancy J. King: Professor of Law and Associate Dean for Research and Faculty Development, Vanderbilt University Law School; Susan R. Klein: Baker & Botts Professor of Law, University of Texas at Austin School of Law.
Law Review Ranking: 19

Author: Associate Justice, United States Supreme Court
Law Review Ranking: 539


Author: United States Senator, Utah; Ranking Republican Member, Senate Judiciary Committee
Law Review Ranking: 38

Id. (Breyer, J., concurring in part and concurring in judgment) (citing Stephen J. Schulhofer, Rethinking Mandatory Minimums, 28 WAKE FOREST L. REV. 199 (1993)).

Author: Frank & Bernice J. Greenberg Professor of Law and Director of the Center for Studies in Criminal Justice,
University of Chicago Law School
Law Review Ranking: 38


Author: Professor, Southwestern University School of Law in Los Angeles
Law Review Ranking: 540


Id. at 615 (Breyer, J., concurring) (citing James W. Marquart & Jonathan R. Sorensen, A National Study of the Furman-Commuted Inmates: Assessing the Threat to Society from Capital Offenders, 23 LOY. L.A. L. REV. 5 (1989)).

Authors: James W. Marquart: Associate Professor, College of Criminal Justice, Sam Houston University; Jonathan R. Sorensen: [Doctoral student] College of Criminal Justice, Sam Houston University
Law Review Ranking: 102

Id. (Breyer, J., concurring) (citing Michael L. Radelet & Ronald L. Akers, Deterrence and the Death Penalty: The Views of the Experts, 87 J. CRIM. L. & CRIMINOLOGY 1 (1996)).

Authors: Michael L. Radelet: Professor and Chair, Department of Sociology, University of Florida; Ronald L. Akers: Professor of Sociology and Director of the Center for Studies in Criminology and Law, University of Florida
Law Review Ranking: 69
Authors: Jonathan R. Sorensen: Professor of Criminal Justice at the University of Texas – Pan American; Rocky L. Pilgrim: [Law student] Boston College Law School

Id. (Breyer, J., concurring) (citing Lee Epstein & Gary King, The Rules of Inference, 69 U. CHI. L. REV. 1 (2002)).
Authors: Lee Epstein: Edward Mallinckrodt Distinguished University Professor of Political Science and Professor of Law, Washington University in St. Louis; Gary King: Professor of Government, Harvard University and Senior Science Advisor, Evidence and Information for Policy Cluster, World Health Organization
Law Review Ranking: 16

Id. (Breyer, J., concurring) (citing Hugo Adam Bedau & Michael L. Radelet, Miscarriages of Justice in Potentially Capital Cases, 40 STAN. L. REV. 21 (1987)).
Authors: Hugo Adam Bedau: Austin Fletcher Professor of Philosophy, Tufts University; Michael L. Radelet: Associate Professor of Sociology, University of Florida
Law Review Ranking: 4

Authors: David C. Baldus: Joseph B. Tye Professor, College of Law, University of Iowa; George Woodworth: Professor, Statistics and Actuarial Science, University of Iowa; David Zuckerman: Assistant Defender, Defender Association of Philadelphia; Neil Alan Weiner: Senior Research Associate, Center for the Study of Youth Policy, School of Social Work, University of Pennsylvania; Barbara Broffitt: Research Associate, College of Law, University of Iowa
Law Review Ranking: 14

Id. (Breyer, J., concurring) (citing Stephen B. Bright, Counsel for the Poor: The Death Sentence Not for the Worst Crime but for the Worst Lawyer, 103 YALE L.J. 1835 (1994)).
Author: Director, Southern Center for Human Rights, Atlanta, Georgia; J. Skelly Wright Fellow and Visiting Lecturer in Law, Yale Law School
Law Review Ranking: 3

No citations


*Id.* at 667 (Rehnquist, C.J., majority opinion) (citing Natasha Mulleneaux, *The Failure to Provide Adequate Higher Education Tax Incentives for Lower–Income Individuals*, 14 AKRON TAX J. 27 (1999)).

Author: Ms. Mulleneaux is employed by Ernst & Young LLP in San Jose, California where she works with the Mergers & Acquisitions Tax Group

Law Review Ranking: 569

*Id.* (Rehnquist, C.J., majority opinion) (citing Peter Pitegoff & Lauren Breen, *Child Care Policy and the Welfare Reform Act*, 6 AFFORDABLE HOUS. & CMTY. DEV. L. 113 (1997)).

Author: Peter Pitegoff: Professor of Law and supervising attorney in the Community Economic Development Law Clinic at the State University of New York at Buffalo; Lauren Breen: Clinical Instructor and supervising attorney in the Community Economic Development Law Clinic at the State University of New York at Buffalo

Law Review Ranking: 635

*Id.* at 680 (Rehnquist, C.J., majority opinion) (citing Akhil Reed Amar, *The Bill of Rights as a Constitution*, 100 Yale L.J. 1131 (1991)).

Author: Professor, Yale Law School

Law Review Ranking: 3

*Id.* (Rehnquist, C.J., majority opinion) (citing William K. Lietzau, *Rediscovering the Establishment Clause: Federalism and the Rollback of Incorporation*, 39 DePaul L. Rev. 1191 (1990)).

Author: Judge Advocate, United States Marine Corps

Law Review Ranking: 63


Author: Assistant Professor of Law, New York University School of Law

Law Review Ranking: 5

*Id.* at 718 (Breyer, J., dissenting) (citing Paul A. Freund, *Public Aid to Parochial Schools*, 82 Harv. L. Rev. 1680, 1692 (1969)).

Author: Carl M. Loeb University Professor, Harvard University School of Law

Law Review Ranking: 1
Id. at 720 (Breyer, J., dissenting) (citing John C. Jeffries, Jr. & James E. Ryan, A Political History of the Establishment Clause, 100 Mich. L. Rev. 279 (2001)).
Authors: John C. Jeffries: Emerson Spies Professor, Arnold H. Leon Professor, andDean, University of Virginia School of Law; James E. Ryan: Associate Professor, University of Virginia School of Law
Law Review Ranking: 9

No citations


Id. at 789 (O’Connor, J., concurring) (citing Julian N. Eule, Crocodiles in the Bathtub: State Courts, Voter Initiatives and the Threat of Electoral Reprisal, 65 U. Colo. L. Rev. 733 (1994)).
Author: Professor of Law, University of California, Los Angeles
Law Review Ranking: 54

Id. (O’Connor, concurring) (citing Stephen B. Bright & Patrick J. Keenan, Judges and the Politics of Death: Deciding Between the Bill of Rights and the Next Election in Capital Cases, 75 B.U. L. Rev. 759 (1995)).
Authors: Stephen B. Bright: Director, Southern Center for Human Rights, Atlanta, GA; Visiting Lecturer in Law, Harvard and Yale Law Schools; Patrick J. Keenan: [Law student] Yale Law School
Law Review Ranking: 23

Author: Professor, Georgetown University Law Center
Law Review Ranking: 481

Id. at 790 (O’Connor, J., concurring) (citing David Barnhizer, “On the Make”: Campaign Funding and the Corrupting of the American Judiciary, 50 Cath. U. L. Rev. 361 (2001)).
Author: Professor of Law, Cleveland State University
Law Review Ranking: 135

Id. at 791 (O’Connor, J., concurring) (citing Stephen P. Croley, The Majoritarian Difficulty: Elective Judicialities and the Rule of Law, 62 U. Chi. L. Rev. 689 (1995)).
Author: Assistant Professor of Law, University of Michigan Law School
Law Review Ranking: 16
Author: Assistant Executive Director for Programs, American Judicature Society
Law Review Ranking: 126

Id. (O’Connor, J., concurring) (citing Roscoe Pound, *The Causes of Popular Dissatisfaction with the Administration of Justice*, 8 BAYLOR L. REV. 1 (1956)).
Author: Former Dean of the Harvard Law School
Law Review Ranking: 181

Author: Professor of Law, University of California, Hastings College of the Law
Law Review Ranking: 29

Id. at 793 (Kennedy, J., concurring) (citing Randall T. Shepard, *Campaign Speech: Restraint and Liberty in Judicial Ethics*, 9 GEO. J. LEGAL ETHICS 1059 (1996)).
Author: Chief Justice of the Indiana Supreme Court
Law Review Ranking: 100

Author: Justice, Oregon Supreme Court
Law Review Ranking: 247

Author: Associate Justice, United States Supreme Court
Law Review Ranking: 16

Id. at 806 (Ginsburg, J., dissenting) (citing William H. Rehnquist, *Act Well Your Part: Therein All Honor Lies*, 7 PEPP. L. REV. 227 (1980)).
Author: Associate Justice of the United States Supreme Court
Law Review Ranking: 101

Id. at 807 (Ginsburg, J., dissenting) (citing Robert M. O’Neil, *The Canons in the Courts: Recent First Amendment Rulings*, 35 IND. L. REV. 701 (2002)).
Author: Professor of Law, University of Virginia School of Law; Director, Thomas Jefferson Center for the Protection of Free Expression
Law Review Ranking: 203

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<td>Author: Associate Professor of Law at the University of Virginia</td>
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Author: Vice President and Associate General Counsel, Intellectual Property Policy, AOL Time Warner, Inc.

Law Review Ranking: 102

Id. (Ginsburg, J., majority opinion) (citing Graeme W. Austin, Does the Copyright Clause Mandate Isolationism?, 26 COLUM. J.L. & ARTS 17 (2002)).

Author: Professor of Law, James E. Rogers College of Law, the University of Arizona

Law Review Ranking: 153

Id. at 259 (Breyer, J., dissenting) (citing Roberta Rosenthal Kwall, Copyright and the Moral Right: Is an American Marriage Possible?, 38 VAND. L. REV. 1 (1985)).

Author: Assistant Professor of Law, DePaul University College of Law

Law Review Ranking: 19


No citations


Id. at 291 (Breyer, J., majority opinion) (citing Alan O. Sykes, The Economics of Vicarious Liability, 93 YALE L.J. 1231 (1984)).

Author: Associate, Arnold & Porter, Washington, D.C. and doctoral candidate, Yale Department of Economics

Law Review Ranking: 3


Id. at 311 (Breyer, J., dissenting) (citing Lon L. Fuller, Positivism and Fidelity to Law — A Reply to Professor Hart, 71 HARV. L. REV. 630 (1958)).

Author: Carter Professor of General Jurisprudence, Harvard Law School

Law Review Ranking: 1


No citations


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Id. at 429 (Stevens, J., majority opinion) (citing Frank I. Schechter, *The Rational Basis of Trademark Protection*, 40 HARV. L. REV. 813 (1927)).

Author: Law professor, Harvard Law School

Law Review Ranking: 1


Author: [Practitioner] J.D., Stanford Law School; A.B., Hamilton College

Law Review Ranking: 158


No citations


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Id. at 516 (Souter, J., dissenting) (citing Robert N. Clinton, *Isolated in Their Own Country: A Defense of Federal Protection of Indian Autonomy and Self-Government*, 33 STAN. L. REV. 979 (1981)).

Author: Visiting Professor, Cornell Law School 1980-81; Professor, University of Iowa College of Law

Law Review Ranking: 4

Id. (Souter, J., dissenting) (citing Reid Peyton Chambers & Monroe E. Price, *Regulating Sovereignty: Secretarial Discretion and the Leasing of Indian Lands*, 26 STAN. L. REV. 1061 (1974)).

Authors: Reid Peyton Chambers: Acting Professor of Law, University of California, Los Angeles; Monroe E. Price: Professor of Law, University of California, Los Angeles

Law Review Ranking: 4

Id. at 518 (Souter, J., dissenting) (citing Judith V. Royster, *Mineral Development in Indian Country: The Evolution of Tribal Control Over Mineral Resources*, 29 TULSA L. REV. 541 (1994)).

Author: Associate Professor of Law, University of Tulsa

Law Review Ranking: 239


No citations


No citations


Id. at 24 (O’Connor, J., plurality opinion) (citing James A. Ardaiz, *California’s Three Strikes Law: History, Expectations, Consequences*, 32 MCGEORGE L. REV. 1 (2000)).

Author: Presiding Justice, Fifth Appellate District of
California
Law Review Ranking: 378

Id. at 27 (O’Connor, J., plurality opinion) (citing Brian P. Janiskee & Edward J. Erler, Crime, Punishment, and Romero: An Analysis of the Case Against California’s Three Strikes Law, 39 DUQ. L. REV. 43 (2000)).
Authors: Brian P. Janiskee: Assistant Professor, Department of Political Science, California State University, San Bernardino; Edward J. Erler: Professor, Department of Political Science, California State University, San Bernadino; Member, California State Advisory Commission on Civil Rights; Member, California Constitutional Revision Commission, 1996
Law Review Ranking: 416

Id. (O’Connor, J., plurality opinion) (citing Michael Vitiello, Three Strikes: Can We Return to Rationality?, 87 J. CRIM. L. & CRIMINOLOGY 395 (1997)).
Author: Professor of Law, McGeorge School of Law
Law School Ranking: 69

No citations


Id. at 97 (Kennedy, J., majority opinion) (citing Adam J. Hirsch, From Pillory to Penitentiary: The Rise of Criminal Incarceration in Early Massachusetts, 80 MICH. L. REV. 1179 (1982)).
Author: [Attorney and graduate student in history at Yale University] M.A., M. Phil., J.D. Yale University
Law Review Ranking: 9

Id. (Kennedy, J.), majority opinion) (citing Toni M. Massaro, Shame, Culture, and American Criminal Law, 89 MICH. L. REV. 1880 (1991)).
Author: Professor of Law, University of Arizona
Law Review Ranking: 9

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Id. at 154 (Ginsburg, J., majority opinion) (citing Herbert F. Goodrich, Emotional Disturbance as Legal Damage, 20 MICH. L. REV. 497 (1922)).
Author: Law professor,University of Michigan Law School
Law Review Ranking: 5
Id. (Ginsburg, J., majority opinion) (citing Calvert Magruder, Mental and Emotional Disturbance in the Law of Torts, 49 HARV. L. REV. 1033 (1936)).

Author: Law professor, Harvard Law School
Law School Ranking: 1

Id. at 156 (Ginsburg, J., majority opinion) (citing James A. Henderson, Jr. & Aaron D. Twerski, Asbestos Litigation Gone Mad: Exposure-Based Recovery for Increased Risk, Mental Distress, and Medical Monitoring, 53 S.C. L. REV. 815 (2002)).

Authors: James A. Henderson, Jr.: Frank B. Ingersoll Professor of Law, Cornell Law School; Aaron D. Twerski: Newell DeValpine Professor of Law, Brooklyn Law School
Law Review Ranking: 143

Id. (Ginsburg, J., majority opinion) (citing William L. Prosser, Joint Torts and Several Liability, 25 CALIF. L. REV. 413 (1937)).

Author: Law professor, University of Minnesota School of Law
Law Review Ranking: 7

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Authors: Christopher F. Edley, Jr.: Professor, Harvard Law School; Paul C. Weiler: Professor, Harvard Law School
Law Review Ranking: 53

Id. (Kennedy, J., concurring in part and dissenting in part) (citing Peter H. Schuck, The Worst Should Go First: Deferral Registries in Asbestos Litigation, 15 HARV. J.L. & PUB. POLY 541 (1992)).

Author: Simeon E. Baldwin Professor of Law, Yale Law School
Law Review Ranking: 51


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Author: Associate Justice, United States Supreme Court
Law Review Ranking: 16
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Law Review Ranking: 72

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Author: [Law student] Harvard Law School
Law Review Ranking: 1

Id. (O’Connor, J., plurality opinion) (citing Henry Paul Monaghan, Overbreadth, 1981 SUP. CT. REV. 1).
Author: Professor of Law, Boston University
Law Review Ranking: 45

Authors: G. Robert Blakey: William J. and Dorothy O’Neill Professor of Law, Notre Dame Law School; Brian J. Murray: Law Clerk to the Honorable Diarmuid F. O’Scannlain, United States Court of Appeals for the Ninth Circuit (2001–02)
Law Review Ranking: 96

Id. at 367 (O’Connor, J., plurality opinion) (citing Gerhard Casper, Tribute to Professor Gerald Gunther, Gerry, 55 STAN. L. REV. 647 (2002)).
Author: President Emeritus and Peter & Helen Bing Professor in Undergraduate Education, Professor of Law, and Senior Fellow at the Institute for International Studies, Stanford University
Law Review Ranking: 4

Law Review Ranking: 47

Authors: Leonard S. Rubinowitz: Professor of Law, Northwestern University School of Law; Imani Perry: Assistant Professor of Law, Rutgers Law School-Camden

Law Review Ranking: 69

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Author: Assistant Professor of Law, Notre Dame Law School

Law Review Ranking: 3


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Authors: [Two practitioners and three law professors]

Law Review Ranking: 65


Id. at 469 (O’Connor, J., majority opinion) (citing Robert H. Jackson, Full Faith and Credit – The Lawyer’s Clause of the Constitution, 45 COLUM. L. REV. 1 (1945)).

Author: Associate Justice, Supreme Court of the United States

Law Review Ranking: 2

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Author: Herbert Wechsler Professor of Federal Jurisprudence, Columbia Law School
Law Review Ranking: 2

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Author: Associate Justice, Supreme Court of the United States
Law Review Ranking: 30
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   Author: Associate Dean for Information Resources and Law
   Library Director and Associate Professor of Law, The
   University of Memphis
   Law Review Ranking: 164


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   Author: Associate Professor of Law, Brigham Young
   University
   Law Review Ranking: 31

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   Krieger, Civil Rights Perestroika: Intergroup Relations After
   Affirmative Action, 86 CALIF. L. REV. 1251 (1998)).
   Author: Acting Professor, University of California School of
   Law (Boalt Hall)
   Law Review Ranking: 7

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   Race, and Money, 109 YALE L.J. 249 (1999)).
   Author: Associate Professor, University of Virginia School of
   Law
   Law Review Ranking: 3

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   Author: William K. Townsend Professor, Yale Law School
Ranking: 9

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Author: Professor of Law, Yale University
Law Review Ranking: 3

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Author: Attorney, O'Melveny & Myers, LLP, Washington, D.C.
Law Review Ranking: 9

Id. at 345 (Ginsburg, J., concurring) (citing Linda Hamilton Krieger, Civil Rights Perestroika: Intergroup Relations After Affirmative Action, 86 CALIF. L. REV. 1251 (1998)).
Author: Acting Professor, University of California School of Law (Boalt Hall)
Law Review Ranking: 7


Id. at 345 (Ginsburg, J., concurring) (citing Linda Hamilton Krieger, Civil Rights Perestroika: Intergroup Relations After Affirmative Action, 86 CALIF. L. REV. 1251 (1998)).
Author: Acting Professor, University of California School of Law (Boalt Hall)
Law Review Ranking: 7

Id. at 371 (Thomas, J., dissenting) (citing Stephen Thernstrom & Abigail Thernstrom, Reflections on the Shape of the River, 46 UCLA L. REV. 1583 (1999)).
Authors: Stephen Thernstrom: Winthrop Professor of History, Harvard University, and Senior Fellow, Manhattan Institute; Abigail Thernstrom: Senior Fellow, Manhattan Institute, and members of the Massachusetts State Board of Education
Law Review Ranking: 12

Author: Simeon E. Baldwin Professor of Law, Yale University
Law Review Ranking: 58

Id. (Thomas, J., dissenting) (citing Jed Rubenfeld, Affirmative Action, 107 YALE L.J. 427 (1997)).
Author: Professor, Yale Law School

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   American Courts, 80 WASH. U. L.Q. 795 (2002)).
   Author: John Norton Pomeroy Professor of Law and Legal
   Direction, Brennan Center for Justice, New York University
   School of Law
   Law Review Ranking: 50

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   Bazyler, Nuremberg in America: Litigating the Holocaust in
   United States Courts, 34 U. RICH. L. REV. 1 (2000)).
   Author: Professor of Law, Whittier Law School; Research
   Fellow, Holocaust Educational Trust, London, U.K.;
   Associate, Davis Center for Russian Studies
   Law Review Ranking: 129

   Id. at 420 (Souter, J., majority opinion) (citing Harold G.
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   83 Am. J. Int’l L. 832 (1989)).
   Author: David Daniels Allen Professor of Law, Vanderbilt
   University
   Law Review Ranking: 33


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   (2002)).
   Author: Professor of Law, New York University School of
   Law
   Law Review Ranking: 24

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   Grofman, Lisa Handley, & David Lublin, Drawing Effective
   Minority Districts: A Conceptual Framework and Some Empirical
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   Author: Bernard Grofman: School of Social Sciences,
   University of California, Irvine, C.A.; Lisa Handley: Frontier
   International Electoral Consulting, Washington, D.C.; David
   Lublin: Department of Government, American University,
   Washington, D.C.
   Law Review Ranking: 24

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*Id.* at 571 (Kennedy, J., majority opinion) (citing William N. Eskridge, Jr., Hardwick and Historiography, 1999 U. Ill. L. Rev. 631).

Author: John A. Garver Professor of Jurisprudence, Yale Law School
Law Review Ranking: 30

*Id.* at 589 (Scalia, J., dissenting) (citing Richard A. Posner, Judges' Writing Styles (And Do They Matter?), 62 U. Chi. L. Rev. 1421 (1995)).

Author: Chief Judge, U.S. Court of Appeals for the Seventh Circuit; Senior Lecturer in Law, The University of Chicago Law Review Ranking: 16


*Id.* at 619 (Breyer, J., majority opinion) (citing Alan L. Adlestein, Conflict of the Criminal Statute of Limitations with Lesser Offenses at Trial, 37 WM. & MARY L. REV. 199 (1995)).

Author: Associate Professor, Widener University School of Law
Law Review Ranking: 20

*Id.* (2003) (Breyer, J., majority opinion) (citing Forrest Revere Black, Statutes of Limitations and the Ex Post Facto Clauses, 26 KY. L.J. 41 (1937)).

Author: Member of the staff of the Attorney General of the United States
Law Review Ranking: 186

*Id.* at 623 (Breyer, J., majority opinion) (citing Clayton Roberts, The Law of Impeachment in Stuart England: A Reply to Raoul Berger, 84 YALE L.J. 1419 (1975)).

Author: Professor of History, Ohio State University
Law Review Ranking: 3

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Author: [Practitioner] J.D. Stetson University College of Law, 1997
Law Review Ranking: 432

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Author: [Law student] Indiana University School of Law
Law Review Ranking: 203

Id. (Breyer, J., majority opinion) (citing Note, Ex Post Facto Limitations on Legislative Power, 73 Mich. L. Rev. 1491 (1975)).
Author: [Law student] University of Michigan Law School
Law Review Ranking: 9

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Id. at 250 (Scalia, J., concurring in part and dissenting in part) (citing J. Skelly Wright, Comment, Politics and the Constitution: Is Money Speech?, 85 Yale L.J. 1001 (1976)).
Author: Judge, United States Court of Appeals for the District of Columbia Circuit
Law Review Ranking: 3

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Author: Langdell Professor of Law, Harvard Law School
Law Review Ranking: 126

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   Author: Professor of Law, Institute of Law, The Johns Hopkins University (now defunct)
   Law Review Ranking: 3

   No citations

   Id. at 649 n.5 (Thomas, J., majority opinion) (citing Andreas F. Lowenfeld & Allan I. Mendelsohn, The United States and the Warsaw Convention, 80 HARV. L. REV. 497 (1967)).
   Authors: Andreas F. Lowenfeld: Fellow of the Institute of Politics, John F. Kennedy School of Government; Allan I. Mendelsohn: [Practitioner] Office of the Legal Advisor, United States Department of State
   Law Review Ranking: 1

   Id. at 701–02 (Ginsburg, J., majority opinion) (citing Steven S. Trott, Words of Warning for Prosecutors Using Criminals as Witnesses, 47 HASTINGS L.J. 1381 (1996)).
   Author: Circuit Judge, United States Court of Appeals for the Ninth Circuit
   Law Review Ranking: 34

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Authors: Frank R. Herrmann, S.J.: Assistant Professor of Law, Boston College Law School; Brownlow M. Speer: [Practitioner] Chief Appellate Attorney, Massachusetts Committee for Public Counsel Services Law Review Ranking: 49

*Id.* at 61 (Scalia, J. majority opinion) (citing Richard D. Friedman, *Confrontation: The Search for Basic Principles*, 86 GEO. L.J. 1011 (1998)).
Author: Professor of Law, University of Michigan Law School Law Review Ranking: 10

*Id.* at 64 (Scalia, J., majority opinion) (citing Roger W. Kirst, *Appellate Court Answers to the Confrontation Questions in Lilly v. Virginia*, 53 SYRACUSE L. REV. 87 (2003)).
Author: Henry M. Grether Professor of Law, University of Nebraska Law Review Ranking: 266

Author: Assistant Professor of Law, The Ohio State University Law Review Ranking: 22

Author: Professor of Law, Duke University Law Review Ranking: 30

Author: Professor of Law, Cleveland-Marshall College of Law, Cleveland State University Law Review Ranking: 14

Author: Professor of Law, University of Chicago School of Law Law Review Ranking: 16

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*Id.* at 138 (Souter, J., majority opinion) (citing Jim Chen, *Legal Process and Political Economy of Telecommunications Reform*, 97 *COLUM. L. REV.* 835 (1997)).

Author: Associate Professor of Law, University of Minnesota Law School

Law Review Ranking: 2

*Id.* at 142 n.1 (Stevens, J., dissenting) (citing Kathryn A. Tongue, Note, *Municipal Entry into the Broadband Cable Market: Recognizing the Inequities Inherent in Allowing Publicly Owned Cable Systems to Compete Directly against Private Providers*, 95 *Nw. U. L. REV.* 1099 (2001)).

Author: [Law student] J.D. candidate, Northwestern University School of Law, May 2001

Law Review Ranking: 13

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Author: [Practitioner] Member of the Bar of Alabama

Law Review Ranking: 12

*Id.* (Scalia, J., plurality opinion) (citing Peter H. Schuck, *The Thickest Thicket: Partisan Gerrymandering and Judicial Regulation of Politics*, 87 *COLUM. L. REV.* 1325 (1987)).

Author: Simeon E. Baldwin Professor of Law, Yale Law School; Visiting Professor, Georgetown University Law Center, 1986-87

Law Review Ranking: 2
Id. (Scalia, J., plurality, opinion) (citing Samuel Issacharoff, *Judging Politics: The Elusive Quest for Judicial Review of Political Fairness*, 71 Tex. L. Rev. 1643 (1993)).

Author: Professor, The University of Texas School of Law

Law Review Ranking: 11

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Id. (Scalia, J., plurality opinion) (citing Bernard Grofman, *An Expert Witness Perspective on Continuing and Emerging Voting Rights Controversies: From One Person, One Vote to Partisan Gerrymandering*, 21 Stetson L. Rev. 783 (1992)).

Author: Professor of Political Science, University of California, Irvine

Law Review Ranking: 518

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Authors: Daniel H. Lowenstein: Professor of Law, University of California, Los Angeles; Jonathan Steinberg: [Practitioner] Attorney, Irell & Manella

Law Review Ranking: 12

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Id. at 332 n.24 (Stevens, J., dissenting) (citing Note, *A New Map: Partisan Gerrymandering as a Federalism Injury*, 117 Harv. L. Rev. 1196 (2004)).

Author: [Law student] Harvard Law School

Law Review Ranking: 1

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Id. at 345 (Souter, J., dissenting) (citing Samuel Issacharoff, *Gerrymandering and Political Cartels*, 116 Harv. L. Rev. 593 (2002)).

Author: Harold R. Medina Professor in Procedural Jurisprudence, Columbia Law School

Law Review Ranking: 1

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Id. (Souter, J., dissenting) (citing Pamela S. Karlan, *The Fire Next Time: Reapportionment After the 2000 Census*, 50 Stan. L. Rev. 731 (1998)).

Author: Professor of Law and Roy L. and Rosamond Woodruff Morgan Research Professor, University of Virginia School of Law

Law Review Ranking: 4

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Id. (Souter, J., dissenting) (citing Richard H. Pildes, *Principled Limitations on Racial and Partisan Redistricting*, 106 Yale L.J. 2505 (1997)).

Author: Professor of Law, The University of Michigan Law School

Law Review Ranking: 3
Authors: Richard H. Pildes: Professor of Law, The University of Michigan Law School; Richard G. Niemi: Professor of Political Science, University of Rochester
Law Review Ranking: 9

Id. at 349 n.3 (Souter, J., dissenting) (citing Daniel D. Polsby & Robert D. Popper, The Third Criterion: Compactness as a Procedural Safeguard Against Partisan Gerrymandering, 9 Yale L. & Pol'y Rev. 301 (1991)).
Authors: Daniel D. Polsby: Kirkland & Ellis Professor of Law, Northwestern University School of Law; Robert D. Popper: [Practitioner] Associate, Orrick, Herrington & Sutcliffe
Law Review Ranking: 58

Id. (Souter, J., dissenting) (citing Joseph E. Schwartzberg, Reapportionment, Gerrymanders, and the Notion of “Compactness”, 50 Minn. L. Rev. 443 (1966)).
Author: Associate Professor of Geography, University of Minnesota
Law Review Ranking: 15

Id. at 350 n.5 (Souter, J., dissenting) (citing Samuel Issacharoff & Richard H. Pildes, Politics as Markets: Partisan Lockups of the Democratic Process, 50 Stan. L. Rev. 643 (1998)).
Authors: Samuel Issacharoff: Charles Tilford McCormick Professor of Law, University of Texas School of Law; Richard H. Pildes: Professor of Law and Roy F. and Jean Humphrey Profitt Research Professor, University of Michigan Law School
Law Review Ranking: 4

Author: Associate Justice, United States Supreme Court
Law Review Ranking: 16

Id. at 358 (Souter, J., dissenting) (citing Nathaniel Persily, Reply In Defense of Foxes Guarding Henhouses: The Case for Judicial Acquiescence to Incumbent–Protecting Gerrymanders, 116 Harv. L. Rev. 649 (2002)).
Author: Assistant Professor, University of Pennsylvania Law School
Law Review Ranking: 1

Law Review Ranking: 14

Id. (Stevens, J., majority opinion) (citing William Wirt Blume & B. J. George, Jr., *Limitations and the Federal Courts*, 49 *MICH. L. REV.* 937 (1951)).
Authors: William Wirt Blume: Professor of Law, University of Michigan; B. J. George, Jr.: [Law student] University of Michigan
Law Review Ranking: 9

Id. (Stevens, J., majority opinion) (citing Note, *Federal Statutes Without Limitations Provisions*, 53 *COLUM. L. REV.* 68 (1953)).
Author: [Law student] Columbia Law School
Law Review Ranking: 2

Id. (Stevens, J., majority opinion) (citing Note, *Disparities in Time Limitations on Federal Causes of Action*, 49 *YALE L.J.* 738 (1940)).
Author: [Law student] Yale Law School
Law Review Ranking: 3

No citations

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Author: Visiting Professor, University of California, Hastings College of the Law
Law Review Ranking: 206

Id. at 493 (Scalia, J., dissenting) (citing Marjorie L. Girth, *The Role of Empirical Data in Developing Bankruptcy Legislation for Individuals*, 65 *IND. L.J.* 17 (1989)).
Author: Professor of Law, State University of New York at Buffalo
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Law Review Ranking: 32

Id. at 493 n.1 (Scalia, J., dissenting) (citing William C. Whitford, The Ideal of Individualized Justice: Consumer Bankruptcy as Consumer Protection, and Consumer Protection in Consumer Bankruptcy, 68 AM. BANKR. L.J. 397 (1994)).

Author: Young-Bascom Professor of Business Law, University of Wisconsin Law School

Law Review Ranking: 148

Id. at 493 n.1 (Scalia, J., dissenting) (citing Scott F. Norberg, Consumer Bankruptcy’s New Clothes: An Empirical Study of Discharge and Debt Collection in Chapter 13, 7 AM. BANKR. INST. L. REV. 415 (1999)).

Author: Visiting Professor, University of California, Hastings College of the Law

Law Review Ranking: 206

Id. at 494 (Scalia, J., dissenting) (citing Michael W. Dunagan, Enforcement of Security Interests in Motor Vehicles in Bankruptcy: The Rash to Judgment – A Contrarian View from the Creditor’s Perspective, 52 CONSUMER FIN. L.Q. REP. 191 (1998)).

Author: [Practitioner] Principal, Jameson & Dunagan, P.C.

Law Review Ranking: 471

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Authors: Edward L. Glaeser: Professor of Economics, Harvard University, University of Chicago Law School, and National Bureau of Economic Research; Jose Scheinkman: Professor of Economics, Harvard University

Law Review Ranking: 315


Id. at 526 n.15 (Stevens, J., majority opinion) (citing Ruth Colker & Adam Milani, The Post-Garrett World: Insufficient State Protection Against Disability Discrimination, 53 ALA. L. REV. 1075 (2002)).

Authors: Ruth Colker: Heck-Faust Memorial Chair in Constitutional Law, Michael E. Moritz College of Law, The Ohio State University; Adam Milani: Assistant Professor, Walter F. George School of Law, Mercer University

Law Review Ranking: 72

Id. at 536 (Ginsburg, J., concurring) (citing Samuel R. Bagenstos, Subordination, Stigma, and “Disability”, 86 VA. L. REV. 397 (2000)).

Author: Lecturer on Law, Harvard Law School

Law Review Ranking: 6
Id. at 560 (Scalia, J., dissenting) (citing Archibald Cox, "Foreword: Constitutional Adjudication and the Promotion of Human Rights," 80 Harv. L. Rev. 91 (1966)).

Author: Williston Professor of Law, Harvard Law School
Law Review Ranking: 1


Id. at 610 (Souter, J., majority opinion) (citing Richard H. Fallon, Jr., Commentary, "As-Applied and Facial Challenges and Third-Party Standing," 113 Harv. L. Rev. 1321 (2000)).

Author: Professor of Law, Harvard Law School
Law Review Ranking: 1


Author: Professor of Law, Golden Gate University School of Law
Law Review Ranking: 40


Id. at 724 (Kennedy, J., dissenting) (citing Oliver Wendell Holmes, "The Path of the Law," 10 Harv. L. Rev. 457 (1897)).

Author: Justice, Supreme Judicial Court of Massachusetts
Law Review Ranking: 1


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Author: [Law student] University of Michigan Law School
Law Review Ranking: 9


Id. at 50 (Thomas, J., concurring) (citing Michael W. McConnell, *The Origins and Historical Understanding of Free Exercise of Religion*, 103 HARV. L. REV. 1409 (1990)).

Author: Professor of Law, University of Chicago Law School
Law Review Ranking: 1

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Id. at 141 (Ginsburg, J., majority opinion) (citing Roslyn Corenzwit Lieb, *Constructive Discharge Under Section 8(a)(3) of the National Labor Relations Act: A Study in Undue Concern Over Motives*, 7 INDUS. REL. L.J. 143 (1985)).

Author: Visiting Assistant Professor of Law, Northwestern University School of Law
Law Review Ranking: 247

Id. at 142 (Ginsburg, J., majority opinion) (citing Cathy Shuck, Comment, *That’s It, I Quit: Returning to First Principles in Constructive Discharge Doctrine*, 23 BERKELEY J. EMP. & LAB. L. 401 (2002)).

Author: [Law student], University of California, Berkeley (Boalt Hall)
Law Review Ranking: 247


Id. at 171 (Breyer, J., majority opinion) (citing Joseph P. Griffin, *Extraterritoriality in U.S. and EU Antitrust Enforcement*, 67 ANTITRUST L.J. 159 (1999)).

Author: [Practitioner] Member of the District of Columbia Bar
Law Review Ranking: 126


Id. at 182 (Kennedy, J., majority opinion) (citing Alan D. Hallock, *Stop-and-Identify Statutes After Kolender v. Lawson: Exploring the Fourth and Fifth Amendment Issues*, 69 IOWA L. REV. 1057 (1984)).

Author: [Law student] University of Iowa College of Law
Law Review Ranking: 22

Id. (Kennedy, J., majority opinion) (citing Nicholas C. Mabrist, Note, *Stop and Identify Statutes: A New Form of an Inadequate Solution to an Old Problem*, 12 RUTGERS L.J. 585 (1981)).

Author: [Law student] Rutgers University School of Law
Law Review Ranking: 212

Id. at 183 (Kennedy, J., majority opinion) (citing Sam B.
Warner, The Uniform Arrest Act, 28 VA. L. REV. 315 (1942)).

Author: Professor of Law, Harvard Law School
Law Review Ranking: 6


Id. at 223 (Ginsburg, J., concurring) (citing John H. Langbein,
What ERISA Means by “Equitable”: The Supreme Court’s Trail of
Error in Russell, Mertens, and Great-West, 103 COLUM. L.
REV. 1317 (2003)).

Author: Sterling Professor of Law and Legal History, Yale
University
Law Review Ranking: 2


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Jones, International Judicial Assistance: Procedural Chaos and a
Program for Reform, 62 YALE L.J. 515 (1953)).

Author: [Practitioner] Chief Hearing Examiner, Office of
Alien Property, Department of Justice
Law Review Ranking: 3

Id. at 248 n.1 (Ginsburg, J., majority opinion) (citing Hans
Smit, International Litigation under the United States Code, 65
COLUM. L. REV. 1015 (1965)).

Author: Professor of Law, Columbia Law School
Law Review Ranking: 2

Id. at 261 (Ginsburg, J., majority opinion) (citing Hans Smit,
Recent Developments in International Litigation, 35 S. TEX. L.
REV. 215 (1994)).

Author: Professor of Law, Columbia Law School
Law Review Ranking: 265

Id. at 262 n.12 (Ginsburg, J., majority opinion) (citing
Geoffrey C. Hazard, Jr., Discovery and the Role of the Judge in
Civil Law Jurisdictions, 73 NOTRE DAME L. REV. 1017 (1998)).

Author: Director, American Law Institute; Professor of Law,
University of Pennsylvania
Law Review Ranking: 18

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Smit, American Assistance to Litigation in Foreign and
International Tribunals: Section 1782 of Title 28 of the U.S.C.

Author: Professor of Law, Columbia Law School
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<th>No.</th>
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<td>Id. at 311 (Scalia, J., majority opinion) (citing Nancy J. King &amp; Susan R. Klein, <em>Apprendi and Plea Bargaining</em>, 54 Stan. L. Rev. 295 (2001)). Authors: Nancy J. King: Professor of Law, Vanderbilt University Law School; Susan R. Klein: Baker &amp; Botts Professor of Law, University of Texas at Austin School of Law</td>
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<td>Id. at 316 (O’Connor, J., dissenting) (citing Stephen Breyer, <em>The Federal Sentencing Guidelines and the Key Compromises Upon Which They Rest</em>, 17 Hofstra L. Rev. 1 (1988)). Author: Circuit Judge, United States Court of Appeals for the First Circuit</td>
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<td>Id. at 330 (Breyer, J., dissenting) (citing Erik Lillquist, <em>The Puzzling Return of Jury Sentencing: Misgivings About Apprendi</em>, 82 N.C. L. Rev. 621 (2004)). Author: Associate Professor of Law, Seton Hall University School of Law</td>
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<td>Id. at 332 (Breyer, J., dissenting) (citing Anthony C. Thompson, <em>Navigating the Hidden Obstacles to Ex-Offender Reentry</em>, 45 B.C. L. Rev. 255 (2004)). Author: Professor of Law, New York University School of Law</td>
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Id. at 336 (Breyer, J., dissenting) (citing Alex Kozinski & Sean Gallagher, Death: The Ultimate Run-On Sentence, 46 CASE W. RES. L. REV. 1 (1995)).
Authors: Alex Kozinski: Judge, U.S. Court of Appeals for the Ninth Circuit; Sean Gallagher: [Practitioner] Judicial Law Clerk
Law Review Ranking: 117

Id. at 336 (Breyer, J., dissenting) (citing Ronald J. Tabak, How Empirical Studies Can Affect Positively the Politics of the Death Penalty, 83 CORNELL L. REV. 1431 (1998)).
Author: [Practitioner] Special Counsel, Skadden, Arps, Slate, Meagher, & Flom LLP; Chair, Death Penalty Committee, American Bar Association Section of Individual Rights and Responsibilities; President, New York Lawyers Against the Death Penalty
Law Review Ranking: 14

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Author: Associate Professor of Law, Georgetown University Law Center
Law Review Ranking: 10

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Author: Law Foundation Professor, University of Houston Law Center
Law Review Ranking: 28

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Author: Associate Professor of Law, University of Cincinnati College of Law
Law Review Ranking: 13

   Id. at 611 (Souter, J., plurality opinion) (citing Charles D. Weisselberg, Saving Miranda, 84 CORNELL L. REV. 109 (1998)).

   Author: Law Professor and Director, Center for Clinical Education, University of California at Berkeley School of Law
   Law Review Ranking: 14


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   Author: Associate Professor, University of San Diego Law School
   Law Review Ranking: 11


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   Author: Assistant Professor of Law, University of Maryland Law Review Ranking: 46


   Author: Professor of Law, Cornell Law School
   Law Review Ranking: 150

   Id. (Souter, J., majority opinion) (citing Symeon C. Symeonides, Choice of Law in the American Courts in 2002:
Sixteenth Annual Survey, 51 AM. J. COMP. L. 1 (2003)).
Author: Dean & Professor of Law, Willamette University
College of Law
Law Review Ranking: 76

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Shapiro, Choice of Law Under the Federal Tort Claims Act: 
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Author: [Practitioner] Assistant United States Attorney
Law Review Ranking: 24

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Casto, The Federal Courts’ Protective Jurisdiction over Torts 
Committed in Violation of the Law of Nations, 18 CONN. L. REV. 
467 (1986)).
Author: Associate Professor of Law, Texas Tech University 
School of Law
Law Review Ranking: 44

Id. (Souter, J., majority opinion) (citing William S. Dodge, 
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Author: Professor of Law, University of California, Hastings 
College of Law
Law Review Ranking: 49

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Randall, Federal Jurisdiction over International Law Claims: 
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1 (1985)).
Author: Assistant Professor of Law, University of Alabama 
School of Law
Law Review Ranking: 356

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HARV. L. REV. 49 (1923)).
Author: [Practitioner]
Law Review Ranking: 1

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Sweeney, A Tort Only in Violation of the Law of Nations, 18  
HASTINGS INT’L & COMP. L. REV. 445 (1995)).
Author: Professor of Law, University of California, Hastings 
College of the Law
Law Review Ranking: 291

Id. at 723 (Souter, J., majority opinion) (citing R.H. Helmholz,  
Use of the Civil Law in Post-Revolutionary American 
Jurisprudence, 66 TUL. L. REV. 1649 (1992)).
Author: Ruth Wyatt Rosenson Professor of Law, University of Chicago Law School
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<td>Associate Professor, Rutgers-Camden School of Law</td>
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<td><em>Id.</em> at 724 (Souter, J., majority opinion) (citing Beth Stephens, <em>Individuals Enforcing International Law: The Comparative and Historical Context</em>, 52 DePaul L. Rev. 433 (2002)).</td>
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<td>Assistant Professor of Law, University of Texas at Austin School of Law</td>
<td>162</td>
<td><em>Id.</em> at 739 (Scalia, J., concurring) (citing Ernest A. Young, <em>Sorting out the Debate Over Customary International Law</em>, 42 Va. J. Int’l L. 365 (2002)).</td>
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<td>Assistant Professor of Law, University of Virginia School of Law</td>
<td>49</td>
<td><em>Id.</em> at 740 (Scalia, J., concurring) (citing Curtis A. Bradley &amp; Jack L. Goldsmith, <em>Customary International Law as Federal Common Law: A Critique of the Modern Position</em>, 110 Harv. L. Rev. 815, 824 (1997)).</td>
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Author: Dean & Professor of Law, Willamette University College of Law
Law Review Ranking: 76

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Author: Professor of Law, University of California, Berkeley School of Law
Law Review Ranking: 315

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Author: [Practitioner] Assistant United States Attorney
Law Review Ranking: 24

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Author: Stanley D. and Sandra J. Rosenberg Centennial Professor of Law, University of Texas at Austin School of Law
Law Review Ranking: 597

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Author: Professor of Law, Brigham Young University Law School
Law Review Ranking: 76


Author: Associate Justice, Supreme Court of the United States
Law Review Ranking: 8

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Id. at 191 (Ginsburg, J., majority opinion) (citing Gary Goodpaster, The Trial for Life: Effective Assistance of Counsel in Death Penalty Cases, 58 N.Y.U. L. REV. 299 (1983)).
Author: Professor of Law, King Hall, University of California, Davis
Law Review Ranking: 5

Id. (Ginsburg, J., majority opinion) (citing Andrea B. Lyon, Defending the Death Penalty Case: What Makes Death Different?, 42 MERCER L. REV. 695, 708 (1991)).
Author: [Practitioner] Director, Illinois Capital Resource Center
Law Review Ranking: 315

Author: Professor of Law, Washington & Lee School of Law
Law Review Ranking: 14

No citations


Id. at 247 (Breyer, J., majority opinion) (citing Adrian Vermeule, Saving Constructions, 85 GEO. L.J. 1945 (1997)).
Author: Fellow, Georgetown University Law Center
Law Review Ranking: 10

Id. at 280 (Stevens, J., concurring) (citing Robert L. Stern, Separability and Separability Clauses in the Supreme Court, 51 HARV. L. REV. 76 (1937)).
Author: [Practitioner] Department of Justice
Law Review Ranking: 1

Id. at 290 (Stevens, J., concurring) (citing Williams J. Stuntz, Plea Bargaining and Criminal Law’s Disappearing Shadow, 117 HARV. L. REV. 2548 (2004)).
Author: Professor, Harvard Law School
Law Review Ranking: 1
Id. at 291 n.11 (Stevens, J., concurring) (citing Patti B. Saris, *Below the Radar Screens: Have the Sentencing Guidelines Eliminated Disparity? One Judge’s Perspective*, 30 Suffolk U. L. Rev. 1027 (1997)).
Author: Judge, United States District Court for the District of Massachusetts
Law Review Ranking: 229

Authors: Ilene H. Nagel: [Practitioner and Law Professor] Member, U.S. Sentencing Commission and Professor of Law, Indiana University (Bloomington) School of Law; Stephen J. Schulhofer: Frank & Bernice J. Greenburg Professor and Director of the Center for Studies in Criminal Justice, University of Chicago School of Law
Law Review Ranking: 9

Author: [Practitioner]
Law Review Ranking: 38

Author: United States Senator, Utah and Ranking Republican Member, Senate Judiciary Committee
Law Review Ranking: 38

Authors: Kate Stith: Professor of Law, Yale Law School; Steve Y. Koh: [Practitioner] Law clerk, United States Court of Appeals for the District of Columbia Circuit
Law Review Ranking: 38
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Law Review Ranking: 38

Id. at 320 (Thomas, J., dissenting) (citing Adrian Vermeule, Saving Constructions, 85 GEO. L.J. 1945 (1997)).

Author: Fellow, Georgetown University Law Center

Law Review Ranking: 10

Id. at 334 (Breyer, J., dissenting) (citing Comment, Sixth Amendment – State Sentencing Guidelines, 118 HARV. L. REV. 333 (2004)).

Author: [Law student] Harvard Law School

Law Review Ranking: 1


No citations


Id. at 381 (Scalia, J., majority opinion) (citing Adrian Vermeule, Saving Constructions, 85 GEO. L.J. 1945 (1997)).

Author: Fellow, Georgetown University Law Center

Law Review Ranking: 10


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Author: [Law student] Yale Law School

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Id. at 507 (O’Connor, J., majority opinion) (citing Chad Trulson & James W. Marquart, The Caged Melting Pot: Toward an Understanding of the Consequences of Desegregation in Prisons, 36 Law & Soc. Rev. 743 (2002)).
Author: Chad Trulson: Professor of Criminal Justice, University of North Texas; James W. Marquart: Professor of Criminal Justice, Sam Houston State University
Law Review Ranking: 198

Author: [Practitioner]
Law Review Ranking: 47


Id. at 566 (Kennedy, J., majority opinion) (citing Elizabeth S. Scott & Thomas Grisso, The Evolution of Adolescence: A Developmental Perspective on Juvenile Justice Reform, 88 J. Crim. L. & Criminology 137 (1997)).
Authors: Elizabeth S. Scott: University Professor, University of Virginia School of Law; Thomas Grisso: Professor of Psychiatry, University of Massachusetts Medical Center
Law Review Ranking: 69

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Author: James Louis Calamaras Professor of Law, Indiana University School of Law
Law Review Ranking: 117

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Author: [Practitioner]
Law Review Ranking: 43

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Author: Associate Professor of Law, Columbia University, School of Law

Law Review Ranking: 90

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Authors: Robert N. Clinton Law: Professor, University of Iowa College of Law; Margaret Tobey Hotopp: [Law student] University of Iowa College of Law

Law Review Ranking: 233


Author: Associate Professor of Labor Relations, Law and History, School of Industrial and Labor Relations, Cornell University

Law Review Ranking: 247


Author: Associate Professor, School of Industrial and Labor Relations, Cornell University

Law Review Ranking: 247
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Author: Professor of Law, Rutgers University Law Review Ranking: 9

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   Author: Professor, Harvard Law School Law Review Ranking: 9

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   Author: Professor, Harvard Law School Law Review Ranking: 1

   Id. (Thomas, J., majority opinion) (citing William S. Dodge, Breaking the Public Law Taboo, 43 Harv. Int’l L.J. 161 (2002)).
   Author: Professor of Law, University of California, Hastings College of Law Law Review Ranking: 28

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   Author: Chief Judge, United States Court of Appeals for the First Circuit Law Review Ranking: 29

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Author: Professor of Law, University of Virginia School of Law
Law Review Ranking: 6

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Author: Professor of Political Science, University of Virginia
Law Review Ranking: 6

Id. at 484, 486 (Kennedy, J., majority opinion) (citing Howard S. Friedman, Note, Legislation, Constitutional Law: State Regulation of Importation of Intoxicating Liquor Under Twenty-first Amendment, 21 CORNELL L.Q. 504 (1936)).
Author: [Law student] Cornell Law School
Law Review Ranking: 14

Id. at 486 (Kennedy, J., majority opinion) (citing Note, Recent Cases, Constitutional Law – Twenty-first Amendment – Commerce Clause – Equal Protection Clause – Validity of State License Fee for Importing Beer, 85 U. PA. L. REV. 322 (1937)).
Author: [Law student] University of Pennsylvania Law School
Law Review Ranking: 8

Id. (Kennedy, J., majority opinion) (citing Note, Legislation, Liquor Control: The Latest Phase, 38 COLUM. L. REV. 644 (1938)).
Author: [Law student] Columbia Law School
Law Review Ranking: 2

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Law Review Ranking: 36

Id. (Kennedy, J., majority opinion) (citing Joe De Ganahl, The Scope of Federal Power Over Alcoholic Beverages Since the Twenty-first Amendment, 8 GEO. WASH. L. REV. 819 (1940)).
Author: [Practitioner] Member of the District of Columbia Bar
Law Review Ranking: 36
Id. (Kennedy, J., majority opinion) (citing Note, 55 YALE L.J. 815 (1946)).
Author: [Law student] Yale Law School
Law Review Ranking: 3

Id. at 508 (Thomas, J., dissenting) (citing Lindsay Rogers, Interstate Commerce in Intoxicating Liquors Before the Webb-Kenyon Act, 4 VA. L. REV. 353 (1917)).
Author: Professor of Political Science, University of Virginia
Law Review Ranking: 6

Id. at 517 (Thomas, J., dissenting) (citing Robert H. Skilton, State Power Under the Twenty-First Amendment, 7 BROOK. L. REV. 342 (1938)).
Author: Instructor in Business Law, Wharton School of Business, University of Pennsylvania
Law Review Ranking: 55

Id. at 518–19 n.6 (Thomas, J., dissenting) (citing Note, Economic Localism in State Alcoholic Beverage Laws – Experience Under the Twenty-First Amendment, 72 HARV. L. REV. 1145 (1959)).
Author: [Law student] Harvard Law School
Law Review Ranking: 1

Id. at 519 (Thomas, J., dissenting) (citing Joseph E. Kallenbach, Interstate Commerce in Intoxicating Liquors Under the Twenty-First Amendment, 14 TEMP. L.Q. 474 (1940)).
Author: Professor of Political Science, University of Michigan
Law Review Ranking: 144.

Id. (Thomas, J., dissenting) (citing John H. Crabb, State Power Over Liquor Under the Twenty-First Amendment, 12 U. DET. L.J. 11, 27 (1948)).
Author: [Practitioner] Member of Michigan Bar
Law Review Ranking: 481

Id. at 520 (Thomas, J., dissenting) (citing Joe De Ganahl, The Scope of Federal Power Over Alcoholic Beverages Since the Twenty-first Amendment, 8 GEO. WASH. L. REV. 819 (1940)).
Author: [Practitioner] Member of the District of Columbia Bar
Law Review Ranking: 36

Id. (Thomas, J., dissenting) (citing Howard S. Friedman, Note, Legislation, Constitutional Law: State Regulation of Importation of Intoxicating Liquor Under Twenty-first Amendment, 21 CORNELL L.Q. 504 (1936)).
Author: [Law student] Cornell Law School
Law Review Ranking: 14
Id. (Thomas, J., dissenting) (citing Note, Recent Cases, Constitutional Law—Twenty-first Amendment—Commerce Clause—Equal Protection Clause—Validity of State License Fee for Importing Beer, 85 U.P.A.L.REV. 322 (1937)).

Author: [Law student] University of Pennsylvania Law School
Law Review Ranking: 8

Id. at 521 (Thomas, J. dissenting) (citing Note, Legislation, Liquor Control: The Latest Phase, 38 COLUM. L.REV. 644 (1938)).

Author: [Law student] Columbia Law School
Law Review Ranking: 2

Id. (Thomas, J., dissenting) (citing Ralph L. Wiser & Richard F. Arledge, Note, Does the Repeal Amendment Empower a State to Erect Tariff Barriers and Disregard the Equal Protection Clause in Legislating on Intoxicating Liquors in Interstate Commerce?, 7 GEO. WASH. L.REV. 402 (1939)).

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Id. at 612 n.2 (Stevens, J., dissenting) (citing John C. Courtney, Redistricting: What the United States Can Learn from Canada, 3 ELECTION L.J. 488 (2004)).

Author: Professor of Political Science, University of Saskatchewan (Canada)
Law Review Ranking: 465


Id. at 629 (Breyer, J., majority opinion) (citing Joan M. Krauskopf, Physical Restraint of the Defendant in the Courtroom, 15 ST. LOUIS U. L.J., 351 (1971)).

Author: [Practitioner]
Law Review Ranking: 162

Id. at 653 (Thomas, J., dissenting) (citing David E. Westman, Note, Handling the Problem Criminal Defendant in the Courtroom: The Use of Physical Restraints and Expulsion in the Modern Era, 2 SAN DIEGO JUST. J. 507 (1994)).

Author: [Law student] Thomas Jefferson School of Law
Law Review Ranking: 470
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|       | Author: Circuit Judge, United States Court of Appeals for the Tenth Circuit and Presidential Professor, S.J. Quinney College of Law, University of Utah |
|       | Law Review Ranking: 20 |
|       | Id. at 16 n.25 (Stevens, J., majority opinion) (citing Robert L. Stern, That Commerce Which Concerns More States Than One, 47 HARV. L. REV. 1335 (1934)). |
|       | Author: [Practitioner] Department of Justice |
|       | Law Review Ranking: 1 |
|       | Id. at 59 (Thomas, J., dissenting) (citing Randy E. Barnett, The Original Meaning of the Commerce Clause, 68 U. CHI. L. REV. 101 (2001)). |
|       | Author: Professor of Law, Boston University School of Law |
|       | Law Review Ranking: 16 |
|       | Id. (Thomas, J., dissenting) (citing Randy E. Barnett, New Evidence of the Original Meaning of the Commerce Clause, 55 ARK. L. REV. 847 (2003)). |
|       | Author: Professor of Law, Boston University School of Law |
|       | Law Review Ranking: 331 |
|       | Id. at 65 (Thomas, J., dissenting) (citing Randy E. Barnett, The Original Meaning of the Necessary and Proper Clause, 6 U. PA. J. CONST. L. 183 (2003)). |
|       | Author: Professor of Law, Boston University School of Law |
|       | Law Review Ranking: 60 |
|       | Id. at 66 (Thomas, J., dissenting) (citing Susan A. Ehrlich, The Increasing Federalization of Crime, 32 ARIZ. ST. L.J. 825 (2000)). |
|       | Author: Judge, Arizona Court of Appeals |
|       | Law Review Ranking: 106 |
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   Author: Assistant Professor of Law, Indiana University School of Law - Indianapolis
   Law Review Ranking: 23

   Id. (Breyer, J., concurring) (citing David C. Baldus, et al., The Use of Peremptory Challenges in Capital Murder Trials: A Legal and Empirical Analysis, 3 U. PA. J. CONST. L. 3 (2001)).
   Authors: David C. Baldus: Joseph B. Tye Professor, College of Law, University of Iowa; George Woodworth: Professor, Statistics and Actuarial Science, University of Iowa; David Zuckerman: [Practitioner]; Neil Alan Weiner, Senior Research Associate, Center for the Study of Youth Policy, School of Social Work, University of Pennsylvania; Barbara Broffitt: Research Associate, College of Law, University of Iowa
   Law Review Ranking: 60

   Id. at 269 (Breyer, J., concurring) (citing Kenneth J. Melilli, Batson in Practice: What We Have Learned About Batson and Peremptory Challenges, 71 NOTRE DAME L. REV. 447 (1996)).
   Author: Professor of Law, Albany Law School of Union University
   Law Review Ranking: 18

   Id. (Breyer, J., concurring) (citing Jeffrey S. Brand, The Supreme Court, Equal Protection and Jury Selection: Denying That Race Still Matters, 1994 Wis. L. REV. 511 (1994)).
   Author: Professor of Law, University of San Francisco School of Law
   Law Review Ranking: 40

   Author: [Law student] Boston College School of Law
   Law Review Ranking: 27

Author: Professor of Law, University of San Diego School of Law

Law Review Ranking: 68

Id. at 272 (Breyer, J., concurring) (citing Raymond J. Broderick, *Why the Peremptory Challenge Should Be Abolished*, 65 Temp. L. Rev. 369 (1992)).

Author: Senior Judge, United States District Court of the Eastern District of Pennsylvania

Law Review Ranking: 144

Id. (Breyer, J., concurring) (citing Morris B. Hoffman, *Peremptory Challenges Should be Abolished: A Trial Judge’s Perspective*, 64 U. Chi. L. Rev. 809 (1997)).

Author: District Court Judge, Second Judicial District (Denver), State of Colorado

Law Review Ranking: 16


Author: Wilson-Dickinson Professor of Law, The University of Chicago

Law Review Ranking: 16

Id. (Breyer, J., concurring) (citing Akhil Reed Amar, *Reinventing Juries: Ten Suggested Reforms*, 28 U.C. Davis L. Rev. 1169 (1995)).

Author: Southmayd Professor, Yale Law School

Law Review Ranking: 31

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Author: Associate Justice, United States Supreme Court

Law Review Ranking: 83


Id. at 317 (Souter, J., majority opinion) (citing Note, *Mr. Smith Goes to Federal Court: Federal Question Jurisdiction over State Law Claims Post- Merrell Dow*, 115 Harv. L. Rev. 2272 (2002)).

Author: [Law student] Harvard Law School

Law Review Ranking: 1


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   *Id.* at 479 (Stevens, J., majority opinion) (citing Philip Nichols, Jr., *The Meaning of Public Use in the Law of Eminent Domain*, 20 B.U. L. REV. 615 (1940)).
   Author: Senior Attorney, Lands Division, Department of Justice
   Law Review Ranking: 23

   Author: Assistant Professor of Law, Saint Louis University
   Law Review Ranking: 80

   *Id.* (Thomas, J., dissenting) (citing Nathan Alexander Sales, *Note, Classical Republicanism and the Fifth Amendment’s “Public Use” Requirement*, 49 DUKE L.J. 339 (1999)).
   Author: [Law student] Duke Law School
   Law Review Ranking: 21

   *Id.* at 512 (Thomas, J., dissenting) (citing Note, *The Public Use Limitation on Eminent Domain: An Advance Requiem*, 58 YALE L.J. 599 (1949)).
   Author: [Law student] Yale Law School
   Law Review Ranking: 3

   Author: [Law student] New York University Law School
   Law Review Ranking: 5

   *Id.* at 520 n.3 (Thomas, J., dissenting) (citing William R. Vance, *The Quest for Tenure in the United States*, 33 YALE L.J. 248 (1923)).
   Author: Law professor, Yale Law School
   Law Review Ranking: 3
Id. at 522 (Thomas, J., dissenting) (citing Wendell E. Pritchett, The “Public Menace” of Blight: Urban Renewal and the Private Uses of Eminent Domain, 21 YALE L. & POL’Y REV. 1 (2003)).

Author: Assistant Professor of Law, University of Pennsylvania Law School
Law Review Ranking: 58

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Id. at 568 (Kennedy, J., majority opinion)(citing Patricia M. Wald, Some Observations on the Use of Legislative History in the 1981 Supreme Court Term, 68 IOWA L. REV. 195 (1983)).

Author: Circuit Judge, United States Court of Appeals for the District of Columbia
Law Review Ranking: 22

Id. at 570 (Kennedy, J., majority opinion) (citing Thomas D. Rowe, Stephen B. Burbank & Thomas M. Mengler, Compounding or Creating Confusion About Supplemental Jurisdiction? A Reply to Professor Freer, 40 EMORY L.J. 943 (1991)).

Authors: Thomas D. Rowe, Jr.: Professor of Law, Duke University; Stephen B. Burbank: Professor of Law, University of Pennsylvania; Thomas M. Mengler: Professor of Law, University of Illinois
Law Review Ranking: 26

Id. at 590 (Ginsburg, J., dissenting) (citing James E. Pfander, Supplemental Jurisdiction and Section 1367: The Case for a Sympathetic Textualism, 148 U. PA. L. REV. 109 (1999)).

Author: Professor of Law, University of Illinois College of Law
Law Review Ranking: 8

Id. at 595 (Ginsburg, J., dissenting) (citing David L. Shapiro, Continuity and Change in Statutory Interpretation, 67 N.Y.U. L. REV. 921 (1992)).

Author: William Nelson Cromwell Professor of Law, Harvard University
Law Review Ranking: 5

No citations

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Id. at 670 (Souter, J., dissenting) (citing Note, Developments in the Law–Federal Habeas Corpus, 83 HARV. L. REV. 1038 (1970)).

Author: [Law student] Harvard Law School
Law Review Ranking: 1


Id. at 718 (Stevens, J., dissenting) (citing Steven Lubet, The Ten Commandments in Alabama, 15 CONST. COMMENT. 471 (Fall 1998)).

Author: Professor of Law, Northwestern University
Law Review Ranking: 144

Id. (Stevens, J., dissenting) (citing Paul Finkelman, The Ten Commandments on the Courthouse Lawn and Elsewhere, 73 FORD. L. REV. 1477 (2001)).

Author: Chapman Distinguished Professor, University of Tulsa College of Law
Law Review Ranking: 17

Id. at 727 (Stevens, J., dissenting) (citing Lee J. Strang, Note, The Meaning of “Religion” in the First Amendment, 40 DUQ. L. REV. 181 (2002)).

Author: Law student at Duquesne University School of Law
Law Review Ranking: 416

Id. at 731 (Stevens, J., dissenting) (citing Noah Feldman, Intellectual Origins of the Establishment Clause, 77 N.Y.U. L. REV. 346 (2002)).

Author: Assistant Professor of Law, New York University School of Law
Law Review Ranking: 5

Id. at 732 (Stevens, J., dissenting) (citing Herbert Hovenkamp, The Cultural Crises of the Fuller Court, 104 YALE L.J. 2309 (1995)).

Author: Sterling Professor of Law, Yale Law School
Law Review Ranking: 3


Id. at 763 (Scalia, J., majority opinion) (citing Cheryl Hanna, No Right to Choose: Mandated Victim Participation in Domestic Violence Prosecutions, 109 HARV. L. REV. 1849 (1996)).

Author: Assistant Professor, Vermont Law School
Law Review Ranking: 1

Id. at 780 (Stevens, J., dissenting) (citing Sack, Battered Women and the State: The Struggle for the Future of Domestic Violence Policy, 2004 WIS. L. REV. 1657).

Author: Associate Professor of Law, Roger Williams University School of Law
Law Review Ranking: 40
Id. at 781 (Stevens, J., dissenting) (citing Note, Developments in the Law: Legal Responses to Domestic Violence, 106 HARV. L. REV. 1498 (1993)).

Author: [Law students] Harvard Law School
Law Review Ranking: 1


Author: Staff Attorney, National Center on Women and Family Law
Law Review Ranking: 69

Id. at 782 n.10 (Stevens, J., dissenting) (citing Marion Wanless, Note, Mandatory Arrest: A Step Toward Eradicating Domestic Violence, But is It Enough?, 1996 U. ILL. L. REV. 533).

Author: [Law student] University of Illinois School of Law
Law Review Ranking: 30

Id. (Stevens, J., dissenting) (citing Kevin Walsh, The Mandatory Arrest Law: Police Reaction, 16 PACE L. REV. 97 (1995)).

Author: Sergeant, New York City Police Department
Law Review Ranking: 325

Id. at 791 n.19 (Stevens, J., dissenting) (citing Thomas W. Merrill, The Landscape of Constitutional Property, 86 VA. L. REV. 885 (2000)).

Author: John Paul Stevens Professor of Law, Northwestern University
Law Review Ranking: 6


No citations


Id. at 886 (Scalia, J., dissenting) (citing Robert F. Blomquist, The Presidential Oath, the American National Interest and a Call for Presiprudence, 73 UMKC L. REV. 1 (2004)).

Author: Professor of Law, Valparaiso University School of Law
Law Review Ranking: 212

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Author: Associate Professor, Duke University School of Law
Law Review Ranking: 20
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Id. at 899 (Scalia, J., dissenting) (citing Antonin Scalia, *Originalism: The Lesser Evil*, 57 U. CINN. L. REV. 849 (1989)).

Author: Associate Justice, United States Supreme Court

Law Review Ranking: 52


Id. at 928 (Souter, J., majority opinion) (citing Jane C. Ginsburg, *Copyright and Control Over New Technologies of Dissemination*, 101 COLUM. L. REV. 1613 (2001)).

Author: Morton L. Janklow Professor of Literary and Artistic Property Law, Columbia Law School

Law Review Ranking: 2


Authors: Douglas Lichtman: Professor of Law, University of Chicago Law School; William Landes: Clifton R. Musser Professor of Law and Economics, University of Chicago Law School

Law Review Ranking: 25

Id. at 929 (Souter, J., majority opinion) (citing Tim Wu, *When Code Isn’t Law*, 89 VA. L. REV. 679, 724–26 (2003)).

Author: Associate Professor of Law, University of Virginia School of Law

Law Review Ranking: 6

Id. (Souter, J., majority opinion) (citing Mark A. Lemley & R. Anthony Reese, *Reducing Digital Copyright Infringement Without Restricting Innovation*, 56 STAN. L. REV. 1345 (2004)).

Authors: Mark A. Lemley: Elizabeth Josslyn Boalt Chair in Law, Boalt Hall, University of California at Berkley; R. Anthony Reese: Thomas W. Gregory Professor of Law, University of Texas School of Law and Special Counsel, Morrison & Foerster LLP

Law Review Ranking: 4

Id. (2005) (Souter, J., majority opinion) (citing Molly Shaffer Van Houweling, *Distributive Values in Copyright*, 83 TEX. L. REV. 1535 (2005)).

Author: Assistant Professor of Law, University of Michigan Law School

Law Review Ranking: 11

Id. at 955 (Breyer, J., concurring) (citing Robert P. Merges, *A New Dynamism in the Public Domain*, 71 U. CHI. L. REV. 183 (2004)).

Author: Wilson, Sonsini, Goodrich & Rosati Professor of Law, University of California, Berkeley (Boalt Hall) School of
Law, and Professor of Law, University of California, Davis
School of Law
Law Review Ranking: 16

Id. at 962 (Breyer, J., concurring) (citing Yochai Benkler,
Sharing Nicely: On Shareable Goods and the Emergence of
Sharing as a Modality of Economic Production, 114 YALE L.J. 273
(2004)).
Author: Professor of Law, Yale Law School
Law Review Ranking: 3

Id. at 963 (Breyer, J., concurring) (citing Note, Costs and
Benefits of the Recording Industry’s Litigation Against
Individuals, 20 BERKELEY TECH. L.J. 571 (2005)).
Author: [Law student] University of California, Berkeley
(Boalt Hall) School of Law
Law Review Ranking: 59

Id. (Breyer, J., concurring) (citing June M. Besek, Anti-
Circumvention Laws and Copyright: A Report from the Kernochan
Center for Law, Media and the Arts, 27 COLUM. J.L. & ARTS 385
(2004)).
Author: Executive Director, Kernochan Center for Law,
Media and the Arts, Columbia Law School
Law Review Ranking: 153

365. Nat’l Cable & Telecommns. Ass’n v. Brand X Internet Servs., 545

Id. at 1015 (Breyer, J., concurring) (citing Adrian Vermeule,
Mead in the Trenches, 71 GEO. WASH. L. REV. 347 (2003)).
Author: Professor of Law, The University of Chicago
Law Review Ranking: 36

Id. (Breyer, J., concurring) (citing Lisa Schultz Bressman, How
Mead Has Muddled Judicial Review of Agency Action, 58 VAND.
L. REV. 1443 (2005)).
Author: Professor, Vanderbilt Law School
Law Review Ranking: 19

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Author: Associate Professor of Law, University of Nevada at Las Vegas Boyd School of Law

Law Review Ranking: 139


Author: Senior Judge, United States Court of Appeals for the Second Circuit

Law Review Ranking: 26


No citations


No citations


No citations


No citations


Author: Carol S. Steiker: Assistant Professor, Harvard Law School; Jordan M. Steiker: Professor of Law, University of Texas School of Law

Law Review Ranking: 1


Author: [Law student] Tulane Law School

Law Review Ranking: 87


No citations

Id. at 319 (Ginsburg, J., majority opinion) (citing Walter Wheeler Cook, “Substance” and “Procedure” in the Conflict of Laws, 42 YALE L.J. 333 (1933)).

Author: Professor of Law, The Institute of Law, The Johns Hopkins University
Law Review Ranking: 3


No citations


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Id. at 364 (Stevens, J., majority opinion) (citing John C. McCoid, II, Discharge: The Most Important Development in Bankruptcy History, 70 AM. BANKR. L.J. 163 (1996)).

Author: Professor Emeritus, University of Virginia School of Law
Law Review Ranking: 148

Id. at 368 (Stevens, J., majority opinion) (citing Kurt H. Nadelmann, On the Origin of the Bankruptcy Clause, 1 AM. J. LEGAL HIST. 215 (1957)).

Author: Lecturer, New York University School of Law
Law Review Ranking: 720

Id. at 369 (Stevens, J., majority opinion) (citing Thomas E. Plank, The Constitutional Limits of Bankruptcy, 63 TENN. L. REV. 487, 527–28 (1996)).

Author: Associate Professor of Law, University of Tennessee College of Law
Law Review Ranking: 247

Id. at 372 (Stevens, J., majority opinion) (citing John C. McCoid, II, Bankruptcy, Preferences, and Efficiency: An Expression of Doubt, 67 VA. L. REV. 249 (1981)).

Author: Professor of Law, University of Virginia
Law Review Ranking: 6

Id. at 375 (Stevens, J., majority opinion) (citing The Honorable Randolph J. Haines, The Uniformity Power: Why Bankruptcy is Different, 77 AM. BANKR. L.J. 129 (2003)).

Author: United States Bankruptcy Judge, District of Arizona
Law Review Ranking: 148

Id. at 386 (Thomas, J., dissenting) (citing Charles Jordan Tabb, The History of the Bankruptcy Laws in the United States, 3 AM. BANKR. INST. L. REV. 5 (1995)).

Author: Professor of Law, University of Illinois College of
Law Review Ranking: 206

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   Author: Partner, Sughrue, Mion, Zinn, Macpeak & Seas
   Law Review Ranking: 25

   Id. at 45 (Stevens, J., majority opinion) (citing William J. Baumol & Daniel G. Swanson, The New Economy and Ubiquitous Competitive Price Discrimination: Identifying Defensible Criteria of Market Power, 70 ANTITRUST L.J. 661 (2003)).
   Authors: William J. Baumol: Professor of Economics at New York University and Professor Emeritus, Princeton University; Daniel G. Swanson: [Practitioner]
   Law Review Ranking: 126

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<td>547 U.S. 103 (2006)</td>
<td>Professor of Law, The University of Chicago Law School</td>
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<td>Professor of Law, Loyola Law School</td>
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<td>Senior Attorney at the National Center on Women &amp; Family Law</td>
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<td>Assistant Professor of Law Designate, Cornell Law School</td>
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<td>Author:</td>
<td>Partner, Wilmer, Cutler &amp; Pickering; and Distinguished Visitor from Practice, Georgetown University Law Center;</td>
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<td>Author:</td>
<td>Assistant Professor, University of Houston Law Center</td>
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<td><strong>Id.</strong> (Ginsburg, J., majority opinion) (cited John F. Winkler, <em>The Probate Jurisdiction of the Federal Courts</em>, 14 probate L.J. 77</td>
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(1997).
Author: [Practitioner]
Law Review Ranking: unranked

Id. at 308 (Ginsburg, J., majority opinion) (citing Peter Nicolas, Fighting the Probate Mafia: A Dissection of the Probate Exception to Federal Court Jurisdiction, 74 S. CAL. L. REV. 1479 (2001)).
Author: Assistant Professor, University of Washington School of Law
Law Review Ranking: 29

No citations


Id. at 355 (Ginsburg, J., concurring) (citing Peter D. Enrich, Saving the States from Themselves: Commerce Clause Constraints on State Tax Incentives for Business, 110 HARV. L. REV. 377 (1996)).
Author: Associate Professor, Northeastern University School of Law
Law Review Ranking: 1

Author: Karl N. Llewellyn Professor of Jurisprudence, University of Chicago Law School and Department of Political Science
Law Review Ranking: 9

Id. (Ginsburg, J., concurring) (citing William A. Fletcher, The Structure of Standing, 98 YALE L.J. 221 (1988)).
Author: Professor of Law, Boalt Hall School of Law, University of California at Berkeley
Law Review Ranking: 3

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Id. at 447 (Breyer, J., dissenting) (citing Robert C. Post, Subsidized Speech, 106 YALE L.J. 151 (1996)).
Author: Alexander F. & May T. Morrison Professor, School

Id. at 472 n.7 (Thomas, J., concurring) (citing Chief Justice William H. Rehnquist, Remarks of the Chief Justice, 21 St. Mary’s L.J. 5 (1989)).
Author: Chief Justice, Supreme Court of the United States
Law Review Ranking: 305


Id. at 538 (Kennedy, J., majority opinion) (citing a citation quoting Henry J. Friendly, Is Innocence Irrelevant? Collateral Attack on Criminal Judgments, 38 U. Chi. L. Rev. 142 (1970)).
Author: Judge, United States Court of Appeals for the Second Circuit
Law Review Ranking: 16


Id. at 609 (Breyer, J., dissenting) (citing Yale Kamisar, In Defense of the Search and Seizure Exclusionary Rule, 26 Harv. J.L. & Pub. Pol’y 119 (2003)).
Author: Clarence Darrow Distinguished Professor of Law, University of Michigan and Professor of Law, University of San Diego
Law Review Ranking: 51

Authors: [Law Students] Georgetown University Law Center
Law Review Ranking: 715
2012] **APPENDIX TO 4 DREXEL L. REV. 399**

*Id.* at 610 (Breyer, J., dissenting) (citing Potter Stewart, *The Road to Mapp v. Ohio and Beyond: The Origins, Development and Future of the Exclusionary Rule in Search-and-Seizure Cases*, 83 COLUM. L. REV. 1365 (1983)).

Author: Associate Justice (Retired), United States Supreme Court

Law Review Ranking: 2


No citations


*Id.* at 666 (Ginsburg, J., majority opinion) (citing Spencer LeRoy, et al., *Workers’ Compensation in Bankruptcy: How Do the Parties Fare?*, 24 TORT & INS. L.J. 593 (1989)).

Authors: Spencer LeRoy: Partner, Lord, Bissell & Brook; Kirk A. Borchardt: Associate, Lord, Bissell & Brook; JoAnn M. Hornak: Associate, Lord, Bissell & Brook; Richard N. Gloning: Of Counsel, Rudnick & Wolfe; Salvatore A Barbatano: Partner, Rudnick & Wolfe; James H.M. Sprayregen, Associate Rudnick & Wolfe

Law Review Ranking: Not ranked


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*Id.* at 8 (Stevens, J., majority opinion) (citing George P. Fletcher, *Two Kinds of Legal Rules: A Comparative Study of Burden-of-Persuasion Practices in Criminal Cases*, 77 YALE L.J. 880 (1968)).

Author: Assistant Professor of Law, University of Washington

Law Review Ranking: 3


Author: Herbert Wechsler Professor of Federal Jurisprudence, Columbia Law School
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<td>Id. at 188 n.3 (Scalia, J., concurring) (citing Stephanos Bibas, Transparency and Participation in Criminal Procedure, 81 N.Y.U. L. Rev. 911 (2006)). Author: Associate Professor, University of Iowa College of Law</td>
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<td>Id. (Scalia, J., concurring) (citing Melissa A. Waters, Mediating Norms and Identity: The Role of Transnational Judicial Dialogue in Creating and Enforcing International Law, 93 Geo. L.J. 487 (2005)). Author: Assistant Professor, Washington &amp; Lee Law School</td>
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<td>Id. (Scalia, J., concurring) (citing Nora V. Demleitner, Is There a Future for Leniency in the U.S. Criminal Justice System?, 103 Mich. L. Rev. 1231 (2005)). Author: Professor of Law, Hofstra University School of Law</td>
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Id. at 190 (Scalia, J., concurring) (citing Hugo Adam Bedau & Michael L. Radelet, *Miscarriages of Justice in Potentially Capital Cases*, 40 STAN. L. REV. 21 (1987)).
Authors: Hugo Adam Bedau: Austin Fletcher Professor of Philosophy, Tufts University; Michael L. Radelet: Associate Professor of Sociology, University of Florida
Law Review Ranking: 4

Author: Hugo Adam Bedau: Austin Fletcher Professor of Philosophy, Tufts University; Michael L. Radelet: Associate Professor of Sociology, University of Florida
Law Review Ranking: 4

Id. at 163, 193 (Scalia, J., concurring) (citing Rob Warden, *Illinois Death Penalty Reform: How It Happened, What It Promises*, 95 J. CRIM. L. & CRIMINOLOGY 381 (2005)).
Author: Journalist; Executive Director, Center on Wrongful Convictions, Bluhm Legal Clinic, Northwestern University School of Law
Law Review Ranking: 69

Authors: Samuel R. Gross: Thomas & Mabel Long Professor of Law, University of Michigan Law School; Kristen Jacoby: [Law student] University of Michigan Law School; Daniel J. Matheson: Associate, King & Spalding LLP; Nicholas Montgomery: University of Michigan Department of Economics and Ford School of Public Policy, Ph.D. candidate; Sujata Patil: Research Biostatistician, Department of Biostatistics and Epidemiology, The Children’s Hospital of Philadelphia
Law Review Ranking: 69

Id. at 208 (Breyer, J., dissenting) (citing Rob Warden, *Illinois Death Penalty Reform: How It Happened, What It Promises*, 95 J. CRIM. L. & CRIMINOLOGY 381 (2005)).
Author: Journalist; Executive Director, Center on Wrongful Convictions, Bluhm Legal Clinic, Northwestern University School of Law
Law Review Ranking: 69

No citations


Id. at 314 (Breyer, J., dissenting) (citing Peter J. Kuriloff & Steven S. Goldberg, *Is Mediation a Fair Way to Resolve Special Education Disputes? First Empirical Findings*, 2 HARV. NEGOT. L. REV. 35 (1997)).

Authors: Peter J. Kuriloff: Professor, University of Pennsylvania Graduate School of Education; Steven S. Goldberg: Member of the Pennsylvania Bar, Visiting Lecturer in Education Law, Rutgers Las School–Camden and the University of Pennsylvania, and Professor of Education Law, Beaver College

Law Review Ranking: 85


Id. at 344 (Roberts, C.J., majority opinion) (citing Craig M. Bradley, *Mapp Goes Abroad*, 52 CASE W. RES. L. REV. 375 (2001)).

Author: James Louis Calamaras Professor of Law, Indiana University School of Law, Bloomington, Indiana

Law Review Ranking: 117

Id. at 395 (Breyer, J., dissenting) (citing Mirjan Damáska, *Evidentiary Barriers to Conviction and Two Models of Criminal Procedure: A Comparative Study*, 121 U. PA. L. REV. 506 (1972)).

Author: Professor of Law, University of Pennsylvania

Law Review Ranking: 8
Id. (Breyer, J., dissenting) (citing Craig M. Bradley, The Exclusionary Rule in Germany, 96 HARV. L. REV. 1032 (1982)).

Author: Associate Professor of Law, Indiana University at Bloomington
Law Review Ranking: 1


Id. at 471 (Stevens, J., dissenting) (citing Trevor Potter & Marianne H. Viray, Election Reform: Barriers to Participation, 36 U. MICH. J.L. REFORM 547 (2003)).
Authors: Trevor Potter: President and General Counsel, The Campaign Legal Center; Marianne H. Viray: Managing Director, The Campaign Legal Center
Law Review Ranking: 68


Author: Assistant Professor of Law, The University of Chicago Law School
Law Review Ranking: 45

Id. (Stevens, J., dissenting) (citing Adam Raviv, Unsafe Harbors: One Person, One Vote and Partisan Redistricting, 7 U. PA. J. CONST. L. 1001 (2005)).

Author: Associate, Wilmer, Cutler, Pickering, Hale & Door L.L.P.
Law Review Ranking: 60

Id. (Stevens, J., dissenting) (citing Samuel Issacharoff & Pamela S. Karlan, Where to Draw the Line?: Judicial Review of Political Gerrymanders, 153 U. PA. L. REV. 541 (2004)).

Author: Samuel Issacharoff: Harold R. Medina Professor in Procedural Jurisprudence, Columbia Law School; Pamela Karlan: Kenneth and Harle Montgomery Professor of Public Interest Law, Stanford Law School
Law Review Ranking: 8

Id. at 488 (Souter, J., dissenting) (citing Grofman, Handley, & Lublin, Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence, 79 N.C. L. REV. 1383 (2001)).

Authors: Bernard Grofman: School of Social Sciences, University of California, Irvine; Lisa Handley: Frontier International Electoral Consulting; David Lublin: Department of Government, American University
Law Review Ranking: 24
Author: [Law student] New York University School of Law
Law Review Ranking: 5

No citations

Id. at 595 (Stevens, J., plurality opinion) (citing Curtis A. Bradley & Jack L. Goldsmith, Congressional Authorization and the War on Terrorism, 118 HARV. L. REV. 2048 (2005)).
Authors: Curtis A. Bradley: Professor, University of Virginia School of Law; Jack L. Goldsmith: Professor, Harvard Law School
Law Review Ranking: 1

Id. at 596 (Stevens, J., plurality opinion) (citing John M. Bickers, Military Commissions Are Constitutionally Sound: A Response to Professors Katyal and Tribe, 34 TEX. TECH. L. REV. 899 (2003)).
Author: Lieutenant Colonel, U.S. Army and Assistant Professor of Law, United States Military Academy
Law Review Ranking: 356

Id. at 685 (Stevens, J., plurality opinion) (citing A. Wigfall Green, The Military Commission, 42 AM. J. INT’L L. 832 (1948)).
Author: Colonel, J.A.G.D., Reserve
Law Review Ranking: 33

Id. at 617 (Stevens, J., plurality opinion) (citing Jordan J. Paust, Antiterrorism Military Commissions: Courting Illegality, 23 MICH. J. INT’L L. 1 (2002)).
Author: Foundation Professor, University of Houston
Law Review Ranking: 87

Author: Legal Adviser, United States Department of State
Law Review Ranking: 75

Id. at 733 (Scalia, J., dissenting) (citing Jeremy A. Blumenthal, Shedding Some Light on Calls for Hearsay Reform: Civil Law Hearsay Rules in Historical and Modern Perspective, 13 PACE INT’L L. REV. 93 (2001)).
Author: Ph.D. candidate, Harvard University
Law Review Ranking: 459
Id. at 685 (Thomas, J., dissenting) (citing A. Wigfall Green, *The Military Commission*, 42 AM. J. INT’L L. 832 (1948)).
Author: Colonel, J.A.G.D., Reserve
Law Review Ranking: 33


Id. at 748 (Souter, J., majority opinion) (citing Renée Melançon, Note, *Arizona’s Insane Response to Insanity*, 40 ARIZ. L. REV. 287 (1998)).
Author: [Law student] University of Arizona School of Law
Law Review Ranking: 47

Author: Steinhart Foundation Professor of Law, University of Nebraska College of Law
Law Review Ranking: 87

Id. at 768 (Souter, J., majority opinion) (citing Peter Arenella, *The Diminished Capacity and Diminished Responsibility Defenses: Two Children of a Doomed Marriage*, 77 COLUM. L. REV. 827 (1977)).
Author: Assistant Professor of Law, Rutgers University at Camden
Law Review Ranking: 2

Id. (Souter, J., majority opinion) (citing Stephan Morse, *Undiminished Confusion in Diminished Capacity*, 75 J. CRIM. L. & CRIMINOLOGY 1 (1984)).
Author: Stephen J. Morse: Orrin B. Evans Professor of Law, University of Southern California Law Center and Professor of Psychiatry and the Behavioral Sciences, University of Southern California School of Medicine
Law Review Ranking: 69

No citations

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Id. at 111 (Scalia, J., dissenting) (citing Edwin R. Keedy, *Criminal Attempts at Common Law*, 102 U. PA. L. REV. 464 (1954)).
Author: Professor of Law Emeritus, University of
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   Authors: April Kestell Cassou: Instructor of Legal Research, University of San Francisco, School of Law; Brian Taugher: Chief Counsel to the Community Release Board and Adjunct Professor of Law, University of the Pacific, McGeorge School of Law
   Law Review Ranking: 325"

Author: Don Stemen: Senior Research Associate, Vera Institute of Justice; Daniel F. Wilhelm: Director, State Sentencing and Corrections Program, Vera Institute of Justice
Law Review Ranking: 650


Author: Douglas A. Berman: William B. Saxbe Designated Professor of Law, Moritz College of Law at The Ohio State University; Stephanos Bibas: Professor, University of Pennsylvania Law School
Law Review Ranking: 115


Author: Judge, U.S. Court of Appeals for the Tenth Circuit
Law Review Ranking: 195

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Author: Rory K. Little: Professor of Law, University of California, San Francisco, Hastings College of the Law; Teresa Chen: Deputy Prosecutor in Grant County, Washington
Law Review Ranking: 650


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Author: Assistant Professor, Seattle University School of Law
Law Review Ranking: 126

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Author: Roger D. Blair: Huber Hurst Professor of Business and Legal Studies, University of Florida; Jeffrey L. Harrison: Professor of Law, University of Florida School
Law Review Ranking: 14

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Author: Vice President, General Counsel, and Secretary, Parker Hannifin Corporation
Law Review Ranking: 34

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Author: Professor of Economics and Law, Georgetown University Law Center and Senior Consultant, Charles River Associates
Law Review Ranking: 126

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Author: Professor of Economics and Director, Stanford Center for International Development, Stanford University
Law Review Ranking: 126


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Author: Assistant Professor of Law, Rutgers University (Camden)

Law Review Ranking: 4

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Author: Professor of Law, Harvard Law School

Law Review Ranking: 1


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Author: Associate Professor, Fordham University School of Law

Law Review Ranking: 275

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Authors: Kristyn Noeth: [Law student] Georgetown University Law Center; Jalena Curtis: [Law student] Georgetown University Law Center

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Author: Judge, United States Court of Appeals for the Second Circuit

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   Author: [Law student] J.D. Candidate 2003, New York University School of Law
   Law Review Ranking: 5

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Author: Judge, United States Court of Appeals for the Seventh Circuit and Senior Lecturer, University of Chicago Law Review Ranking: 23

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Author: Trustee Professor of Law, University of Pennsylvania and Director, The American Law Institute Law Review Ranking: 11


Author: Professor of Law, University of Illinois Law Review Ranking: 2

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Author: Professor of Law, Yale Law School Law Review Ranking: 2

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Author: Professor of Law, Yale Law School Law Review Ranking: 3

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Author: Judge, United States Court of Appeals for the Seventh Circuit and Senior Lecturer, University of Chicago Law Review Ranking: 23


Authors: Leonard Bierman: Professor, Mays Business School,
Texas A&M University; Rafael Gely: Professor of Law, University of Cincinnati Law School
Law Review Ranking: 247

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   Author: Assistant Professor of History, University of Missouri, Columbia
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   Author: Ben V. & Dorothy Willie Professor of Law and History, University of Iowa
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Author: Ben V. & Dorothy Willie Professor of Law and History, University of Iowa

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Author: Circuit Judge, United States Court of Appeals for the First Circuit

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Author: [Law student] Vanderbilt Law School

Law Review Ranking: 19

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Author: Assistant Professor of Law, University of Georgia School of Law

Law Review Ranking: 36

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Author: Judge, United States Court of Appeals for the Second Circuit

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Authors: Samuel Issacharoff: Joseph D. Jamail Centennial Chair in Law, The University of Texas School of Law and Visiting Professor of Law, Columbia Law School; Pamela S. Karlan: Professor of Law, Stanford Law School
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   Author: Chief, Wildlife and Marine Resources Section, Environment and Natural Resources Division, United States Department of Justice, Washington, D.C.
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   Author: [Law student] J.D. Candidate 1999, University of California Hastings School of the Law
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   Authors: Robert L. Crain: Senior Social Scientist, The Rand Corporation and Academic Visitor, The London School of Economics; Rita E. Mahard: Assistant Social Scientist, The Rand Corporation
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   Author: White Chair of Sociology, University of Notre Dame
   Law Review Ranking: 43

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   Author: Henry R. Luce Professor of Jurisprudence, Yale Law School
   Law Review Ranking: 3

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Author: Simeon E. Baldwin Professor of Law, Yale University
Law Review Ranking: 58


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Author: [Practitioner] Federal Trade Commission
Law Review Ranking: 315

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Authors: Benjamin Klein: Professor of Law, University of California, Los Angeles; Kevin M. Murphy: Professor of Law, University of Chicago
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Authors: Howard P. Marvel: Professor Emeritus of Economics, The Ohio State University; Stephen McCafferty: Professor Emeritus of Economics, The Ohio State University
Law Review Ranking: 315

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Author: Professor of Law, University of Chicago
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Author: Consultant, Washington, D.C.
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Author: Dean and Professor of Law, Georgetown University Law Center
Law Review Ranking: 10
Id. (Breyer, J., dissenting) (citing F.M. Scherer, The Economics of Vertical Restraints, 52 ANTITRUST L.J. 687 (1983)).
Author: Professor of Economics, Swarthmore College
Law Review Ranking: 126

Author: Lee and Brena Freeman Professor of Law, The University of Chicago
Law Review Ranking: 16

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Author: [Practitioner] Federal Trade Commission
Law Review Ranking: 315

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Author: Professor of Law, University of Chicago
Law Review Ranking: 126

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Author: [Economist] Consultant, Washington, D.C.
Law Review Ranking: 617

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Author: Professor of Economics, University of California at Santa Barbara
Law Review Ranking: 1

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Author: Assistant Professor of Law, Harvard University
Law Review Ranking: 1

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Author: Justice, Supreme Judicial Court of Massachusetts
Law Review Ranking: 1

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Author: Associate Justice, Supreme Court of the United States (Retired)
Law Review Ranking: 55


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Author: Professor of Law, Pace University School of Law
Law Review Ranking: 55

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Author: Assistant Professor, University of Pennsylvania Law School
Law Review Ranking: 10

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Author: Professor of Law, Benjamin N. Cardozo School of Law, Yeshiva University
Law Review Ranking: 3

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Author: Professor of Law, Harvard Law School
Law Review Ranking: 1

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Author: Charles Stebbins Fairchild Professor of Law, Harvard Law School
Law Review Ranking: 1

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Author: Assistant Professor of Law, Northwestern University
Law Review Ranking: 69

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Author: Professor of Law, University of Pennsylvania Law School
Law Review Ranking: 1

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Author: Judge, Supreme Court of Missouri
Law Review Ranking: 169

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Author: Professor of Law, University of South Dakota School of Law
Law Review Ranking: 72

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Author: Professor of Law, University of Pennsylvania Law School
Law Review Ranking: 1


Id. at 316 (Scalia, J., majority opinion) (citing Robert B. Leflar
Authors: Robert B. Leflar: Professor, University of Arkansas School of Law; Robert S. Adler: Professor, Kenan-Flagler School of Business, University of North Carolina
Law Review Ranking: 247

Id. at 337 n.6 (Ginsburg, J., dissenting) (citing David C. Vladeck, Preemption and Regulatory Failure, 33 PEPP. L. REV. 95 (2005)).
Author: Associate Professor of Law and Director, Institute for Public Representation, Georgetown University Law Center, and Scholar, Center for Progressive Reform
Law Review Ranking: 101

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Authors: Robert S. Adler: Associate Professor of Legal Studies, Kenan-Flagler School of Business, University of North Carolina; Richard A. Mann: Professor of Legal Studies, Kenan-Flagler School of Business, University of North Carolina
Law Review Ranking: 132

Id. at 338 (Ginsburg, J., dissenting) (citing Margaret Jane Porter, The Lohr Decision: FDA Perspective and Position, 52 FOOD & DRUG L.J. 7 (1997)).
Author: Chief Counsel, Food and Drug Administration
Law Review Ranking: 331

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Authors: Robert B. Leflar: Professor, University of Arkansas School of Law; Robert S. Adler: Professor, Kenan-Flagler School of Business, University of North Carolina
Law Review Ranking: 247

Author: Professor of Law, New York University School of Law
Law Review Ranking: 569

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Author: [Practitioner] Member of the Florida Bar and Instructor of the Law of Taxation, New York University Law School  
Law Review Ranking: 117

_Id_. at 430 n.7 (Souter, J., majority opinion) (citing Joseph Isenbergh, _Review: Musings on Form and Substance in Taxation_, 49 U. CHI. L. REV. 859 (1982)).  
Author: Assistant Professor of Law, University of Chicago  
Law Review Ranking: 16

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Author: Robson Professor of Political Science and Director of the Institute of Governmental Studies, University of California, Berkley  
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Author: Professor of Law & Co-Director, Joseph R. Crowley Program in International Human Rights, Fordham Law School
Law Review Ranking: 2

Id. (Breyer, J., dissenting) (citing John C. Yoo, Globalism and the Constitution: Treaties, Non-Self-Execution, and the Original Understanding, 99 COLUM. L. REV. 1955 (1999)).

Author: Professor of Law, University of California at Berkeley School of Law (Boalt Hall); John M. Olin Foundation Faculty Fellow
Law Review Ranking: 2

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Author: Professor, Columbia Law School
Law Review Ranking: 6

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Author: Circuit Judge, United States Court of Appeals for the First Circuit
Law Review Ranking: 156

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Author: Professor of Law, Columbia Law School
Law Review Ranking: 2


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Authors: Julius Henry Cohen: Professor, University of Virginia School of Law; Kenneth Dayton: Professor, University of Virginia School of Law
Law Review Ranking: 6

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Author: [Law student] Vanderbilt University School of Law
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Author: Professor of Law, University of Georgia Law School
Law Review Ranking: 117


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IOWA L. REV. 319 (1997)).
Author: Professor of Law, Fordham University School of Law
Law Review Ranking: 22

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Author: Arthur A. McGivney Professor of Law, Fordham
University School of Law
Law Review Ranking: 17

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Author: Associate Director, Death Penalty Clinic, University
of California, Berkeley, School of Law
Law Review Ranking: 93

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When Legislatures Delegate Death: The Troubling Paradox Behind
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Author: Professor of Law, Fordham University School of Law
Law Review Ranking: 43
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Author: [Law student] Harvard Law School
Law Review Ranking: 1

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Authors: H. Naci Mocan: Professor of Economics, University of Colorado at Denver; R. Kaj Gittings: Professor of Law, Cornell University
Law Review Ranking: 315


Author: Professor of Law and Public Health, Columbia University
Law Review Ranking: 115

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Authors: John J. Donohue: Leighton Homer Surbeck Professor of Law, Yale Law School; Justin Wolfers: Assistant Professor of Business and Public Policy, The Wharton School, University of Pennsylvania, and CEPR, IZA, and NBER
Law Review Ranking: 4

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Author: Baker Ferguson Professor of Politics and Leadership, Whitman College
Law Review Ranking: 3

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Author: Professor of Law, Thurgood Marshall School of Law, Texas Southern University, Houston, Texas
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Authors: Alex Kozinski: Judge, Ninth Circuit Court of Appeals; Sean Gallagher: [Practitioner] J.D. Michigan, 1994
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Author: Associate Professor, University of Virginia School of Law

Law Review Ranking: 2

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Author: Professor of Law, Seton Hall University School of Law

Law Review Ranking: 69

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Authors: Cass R. Sunstein: Karl N. Llewellyn Distinguished Service Professor of Jurisprudence, the University of Chicago Law School, Department of Political Science, and the College; Adrian Vermeule: Bernard D. Meltzer Professor of Law, the University of Chicago

Law Review Ranking: 4

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Author: Professor of Law, Fordham University School of Law

Law Review Ranking: 43

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Author: Associate Professor, University of Tennessee College of Law

Law Review Ranking: 9


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Author: Associate Professor of Law, The George Washington University Law School
Law Review Ranking: 9


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Author: Professor of Law, Vanderbilt Law School; Senior Research Associate, Vanderbilt Institute for Public Policy Studies
Law Review Ranking: 19


Author: Benjamin N. Berger Professor of Criminal Law, University of Minnesota
Law Review Ranking: 2


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Author: [Law student] J.D. Candidate 1996, Stanford Law School
Law Review Ranking: 96

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Author: [Law student] J.D. Candidate 1996, University of Tennessee College of Law
Law Review Ranking: 247


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Author: Associate Professor of Law, George Washington University Law School
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Author: Associate Professor of Law, George Washington University School of Law
Law Review Ranking: 471


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   Author: [Practitioner] Member of the California Bar

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   Author: Assistant Professor of Law, Yale Law School

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   Author: Law Clerk, Chambers of Justice Stephen G. Breyer, U.S. Supreme Court, October 2004 Term

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   Author: Professor of Law, The University of Chicago

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   Authors: Richard H. Fallon: Ralph S. Tyler Professor of Constitutional Law, Harvard Law School; Daniel J. Meltzer: Story Professor of Law, Harvard Law School

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   Author: Herbert Wechsler Professor of Federal
Jurisprudence, Columbia Law School
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Author: Richard and Marcy Horvitz Professor of Law, Duke
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Author: Southmayd Professor, Yale Law School
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Author: Sterling Professor of Law and Legal History, Yale
University
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Author: Assistant Professor, University of Georgia School of Law
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Author: Professor of Law, Wayne State University
Law Review Ranking: 66


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Author: Professor of Law, Oxford University, St. John’s College, Oxford, England
Law Review Ranking: 1

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Law Review Ranking: 1

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Author: [Law student] University of California, Berkeley School of Law
Law Review Ranking: 7

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Author: [Law student] Michigan Law School
Law Review Ranking: 9

Author: [Law student] University of California, Berkeley
School of Law
Law Review Ranking: 7

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Author: Professor of Law, Harvard Law School
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Author: Assistant Professor, University of Oregon School of Law
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Authors: John Blume: Associate Professor of Law and Director, Cornell Law School Death Penalty Project; Theodore Eisenberg: Henry Allen Mark Professor of Law, Cornell Law School; Martin T. Wells: Professor of Statistics, Department of Social Statistics, and Elected Member of the Law Faculty, Cornell University
Law Review Ranking: 63

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Authors: Stephen J. Ceci: Helen L. Carr Professor of Developmental Psychology, Department of Human Development, Cornell University; Richard D. Friedman: Ralph W. Aigler Professor of Law, University of Michigan Law School
Law Review Ranking: 14


Authors: Samuel R. Gross: Thomas & Mabel Long Professor of Law, University of Michigan Law School; Kristen Jacoby: [Law student] J.D. Candidate 2005, University of Michigan Law School; Daniel J. Matheson: Associate, King & Spalding LLP; Nicholas Montgomery: [Graduate student] University of Michigan Department of Economics and Ford School of Public Policy, Ph.D. Candidate 2007; Sujata Patil: Research Biostatistician, Department of Biostatistics and Epidemiology, The Children’s Hospital of Philadelphia
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Author: Judicial Law Clerk, Hon. Michael J. Melloy, United States Court of Appeals for the Eighth Circuit
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Author: [Law student] Northwestern University School of Law
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Author: [Law student] Washington and Lee University School of Law
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Author: [Law student] J.D. Candidate 1999, Notre Dame
Law School
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Author: Assistant Professor, Cornell Law School
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Author: Thompson G. Marsh Professor Law, University of Denver College of Law
Law Review Ranking: 139

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Author: [Law student] Duke University School of Law
Law Review Ranking: 21

Author: Executor Director of the National Coalition to Abolish the Death Penalty
Law Review Ranking: 131

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Author: [Law student] University of Arizona College of Law
Law Review Ranking: 47

Author: Briefing Attorney to Honorable Sharon Keller, Texas Court of Criminal Appeals
Law Review Ranking: 416

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Author: Assistant District Attorney, Bronx County, New York
Law Review Ranking: 275

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Author: Associate Dean for Research, Professor of Law and Director, J.D./M.B.A. Program, Villanova University School of Law
Law Review Ranking: 65

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Author: Associate Dean for Faculty Research, Professor of Law, Director J.D./M.B.A. Program, Villanova University School of Law
Law Review Ranking: 65

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Authors: [Law student] Harvard Law School
Law Review Ranking: 1

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Authors: Erik K. Moller: Associate, Menlo Park office of Howrey & Simon; Consultant, RAND Institute for Civil Justice; Nicholas M. Pace: Resident Consultant, RAND Institute for Civil Justice; Stephen J. Carroll: Senior Economist, RAND Institute for Civil Justice
Law Review Ranking: 78

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Authors: Neil Vidmar: Russell M. Robinson Professor of Law, Duke Law School; Mary R. Rose: Research Fellow, American Bar Foundation
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Author: Stanford Law School and National Bureau of Economic Research
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Authors: Thomas A. Eaton: J. Alton Professor of Law, University of Georgia; David B. Mustard: Associate Professor of Economics, University of Georgia; Susette M. Talarico: Albert Berry Saye Professor of American Government and Constitutional Law and Professor of Political Science, University of Georgia
Law Review Ranking: 78

Authors: Herbert M. Kritzer: Professor and Chair of Political Science and Professor of Law, University of Wisconsin-Madison; Frances Kahn Zemans: Former Executive Director, American Judicature Society
Law Review Ranking: 40

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Authors: David Schkade: Herbert D. Kelleher/MCorp Professor of Business, Graduate School of Business, University of Texas, Austin; Cass R. Sunstein: Karl N. Llewellyn Distinguished Service Professor of Jurisprudence, Law School and Department of Political Science, University of Chicago; Daniel Kahneman: Eugene Higgins Professor of Psychology and Professor of Public Affairs, Princeton University
Law Review Ranking: 2
Author: Cass R. Sunstein: Karl N. Llewellyn Distinguished Service Professor, Law School and Department of Political Science, University of Chicago; Daniel Kahneman: Eugene Higgins Professor of Psychology and Professor of Public Affairs, Princeton University; David Schkade: Professor of Management and William M. Spiegel Fellow, Graduate School of Business, University of Texas, Austin

Law Review Ranking: 3

Author: Justice, Supreme Judicial Court of Massachusetts

Law Review Ranking: 1


Author: Postdoctoral Research Fellow, Tepper School of Business, Carnegie Mellon University, Pittsburgh, PA

Law Review Ranking: 477


Law Review Ranking: 110

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Author: Acting Professor of Law, University of California, Los Angeles

Law Review Ranking: 5

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Author: Gary T. Schwartz Professor of Law, UCLA

Law Review Ranking: 356

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Author: Austin B. Fletcher Professor, Boston University School of Law

Law Review Ranking: 11

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Authors: Clayton E. Cramer: [Adjunct Professor of History, College of Western Idaho]; Joseph Edward Olson: Professor of Law, Hamline School of Law

Law Review Ranking: 412

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Author: Gary T. Schwartz Professor of Law, UCLA School of Law

Law Review Ranking: 18


Author: Professor of Law, DePaul University College of Law

Law Review Ranking: 13

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Author: [Practitioner] Member of the California, District of

Columbia, Missouri and United States Supreme Court Bars; Partner, Benenson, Kates and Hardy (San Francisco office); Of Counsel, O’Brien & Hallisey, San Francisco, California  Law Review Ranking: 9  

Id. at 623 (Scalia, J., majority opinion) (citing Brian L. Frye, The Peculiar Story of United States v. Miller, 3 N.Y.U. J. L. & LIBERTY 48 (2008)).  
Author: Associate, Sullivan & Cromwell LLP  Law Review Ranking: 309  

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Author: Assistant Professor of History, Department of Humanities, University of Hartford  Law Review Ranking: 540  

Author: Professor of Law, DePaul University College of Law  Law Review Ranking: 13  

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Author: Associate Professor of History, Ohio State University; Director, Second Amendment Research Center, John Glenn Institute  Law Review Ranking: 20  

Id. at 684 (Breyer, J., dissenting) (citing Robert H. Churchill, Gun Regulation, the Police Power, and the Right to Keep Arms in Early America: The Legal Context of the Second Amendment, 25 LAW & HIST. REV. 139 (2007)).  
Author: Assistant Professor of History, Department of Humanities, University of Hartford  Law Review Ranking: 540  

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Authors: Saul Cornell: Director, Second Amendment Research Center, John Glenn Institute for Public Service and Public Policy; Nathan DeDino: [Graduate student] Ph.D. Candidate, Department of Political Science, Ohio State University; Research Associate, John Glenn Institute for
Public Service and Public Policy Law Review Ranking: 17

Id. at 691 (Breyer, J., dissenting) (citing Adam Winkler, *Scrutinizing the Second Amendment*, 105 Mich. L. Rev. 683 (2007)).
Author: Acting Professor, UCLA School of Law

Law Review Ranking: 9

Authors: Gary Kleck: [Law student] Northwestern University, School of Law; Marc Gertz: [Law student] Northwestern University, School of Law

Law Review Ranking: 69

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Authors: Randy E. Barnett: Austin B. Fletcher Professor of Law, Boston University; Don B. Kates: [Practitioner] Attorney at Law, San Francisco, CA, LL.B., Yale 1966

Law Review Ranking: 26

Authors: Chester L. Britt: [Graduate student] Crime, Law, and Justice Program, Department of Sociology, Pennsylvania State University; Gary Kleck: [Graduate student] School of Criminology and Criminal Justice, Florida State University; David J. Bordua: [Graduate student]

Law Review Ranking: 198

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Author: Acting Professor of Law, UCLA School of Law

Law Review Ranking: 12


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Author: Karl N. Llewellyn Professor of Jurisprudence, Law School and Department of Political Science, University of Chicago

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Author: Judge, United States Court of Appeals for the District of Columbia Circuit
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*Id. at 143 (Roberts, J., majority opinion) (citing Henry J. Friendly, The Bill of Rights as a Code of Criminal Procedure, 53 CALIF. L. REV. 929 (1965)).
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Author: Associate Justice (Retired), Supreme Court of the United States
Law Review Ranking: 2*

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Author: Judge, United States Court of Appeals for the Second Circuit
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Author: Law professor, University of Michigan School of Law
Law Review Ranking: 247*

*Id. at 207 (Ginsburg, J., dissenting) (citing Anthony G. Amsterdam, Perspectives on the Fourth Amendment, 58 MINN. L. REV. 349 (1974)).
Author: Law professor, Stanford Law School*
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<td>Author: William Nelson Cromwell Professor of Law, Stanford Law School; Visiting Professor of Law, Harvard Law School</td>
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Author: Associate, Shea & Wilks
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Author: Langdell Professor of Law, Harvard Law School
Law Review Ranking: 126

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Authors: Adam B. Cox: Assistant Professor of Law, University of Chicago School of Law; Eric A. Posner: Kirkland and Ellis Professor of Law, University of Chicago School of Law
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Author: Law professor, Northwestern University School of Law
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Author: Chief Counsel, Food & Drug Administration
Law Review Ranking: 331

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Authors: David A. Kessler: Dean and Vice Chancellor for Medical Affairs, University of California, San Francisco School of Medicine; David A. Vladeck: Law Professor and
Director of the Center on health Regulation and Governance of the O’Neill Institute, Georgetown University Law Center Law Review Ranking: 10

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Author: Associate Professor, University of Virginia School of Law Law Review Ranking: 6

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Author: Professor of Law, Harvard Law School Law Review Ranking: 2

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Author: Stiles and Harbison Professor of Law, University of Kentucky College of Law Law Review Ranking: 143


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Author: Professor of Law, New York University School of Law Law Review Ranking: 24

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Author: Professor of Law, Golden Gate Law School
Law Review Ranking: 40

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Author: Clerk, United States Court of Appeals for the Ninth Circuit
Law Review Ranking: 47

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Author: Visiting Professor, Harvard Law School
Law Review Ranking: 1

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Authors: Steven G. Calabresi: Associate Professor, Northwestern Law School; Saikrishna B. Prakash: [Practitioner] J.D., Yale University 1993
Law Review Ranking: 3

Author: Judge, United States Court of Appeals for the Seventh Circuit
Law Review Ranking: 1

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Author: President, The Free State Foundation
Law Review Ranking: 444

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Authors: Richard B. Stewart: Professor of Law, Harvard Law School; Cass R. Sunstein: Assistant Professor of Law,
University of Chicago School of Law
Law Review Ranking: 1

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Author: Byrne Professor of Administrative Law, Harvard Law School
Law Review Ranking: 1

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Author: [Law student] J.D. Candidate 2005, University of Michigan School of Law
Law Review Ranking: 152

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Author: [Law student] J.D. Candidate 1974, Boalt Hall School of Law
Law Review Ranking: 7
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Author: Professor of Law, Yale Law School
Law Review Ranking: 31

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Author: Professor of Law, University of California, Los Angeles
Law Review Ranking: 1

Id. (Ginsburg, J., dissenting) (citing Sylvia A. Law, Rethinking Sex and the Constitution, 132 U. PA. L. REV. 955 (1984)).
Author: Professor of Law, New York University
Law Review Ranking: 8

Author: [Law student] St. Louis Law School
Law Review Ranking: 162

Id. (Ginsburg, J., dissenting) (citing Reva Siegel, Reasoning from the Body: A Historical Perspective on Abortion Regulation and Questions of Equal Protection, 44 STAN. L. REV. 261 (1992)).
Author: Acting Professor of Law, University of California at Berkeley
Law Review Ranking: 4

Id. (Ginsburg, J., dissenting) (citing Reva B. Siegel, You’ve Come a Long Way, Baby: Rehnquist’s New Approach to Pregnancy Discrimination in Hibbs, 58 STAN. L. REV. 1871 (2006)).
Author: Professor of Law, Yale Law School
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Authors: Nadine Taub: Professor of Law, Rutgers Law School; Wendy W. Williams: Professor of Law, Georgetown University Law Center
Law Review Ranking: 135

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<td>Id. at 2259 (Kennedy, J., majority opinion) (citing John P. Frank, Disqualification of Judges, 56 YALE L.J. 605 (1947)). Author: Assistant Professor of Law, Indiana University School of Law Law Review Ranking: 3</td>
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   Garrett, Claiming Innocence, 92 MINN. L. REV. 1629 (2008)).
   Author: Associate Professor, University of Virginia School of
   Law
   Law Review Ranking: 15

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   Author: Professor, Vanderbilt Law School
   Law Review Ranking: 19

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   Author: Harold R. Medina Professor of Procedural Jurisprudence, Columbia Law School
   Law Review Ranking: 2

   Id. (Roberts, C.J., majority opinion) (citing Nathaniel Persily, The Promise and Pitfalls of the New Voting Rights Act, 117 YALE L.J. 174 (2007)).
   Author: Professor of Law and Political Science, Columbia Law School
   Law Review Ranking: 3

   Author: Associate Dean and Professor of Law, Marshall-Wythe School of Law
   Law Review Ranking: 50

   Authors: Ellen Katz: Professor of Law, University of Michigan School of Law; Margaret Aisenbrey, Anna Baldwin, Emma Cheuse, & Anna Weisbrodt: [Law students] J.D. Candidates 2006-07, University of Michigan Law School
   Law Review Ranking: 68


   Id. at 2537 (Scalia, J., majority opinion) (citing Pamela R. Metzger, Cheating the Constitution, 59 VAND. L. REV. 475 (2006)).
   Author: Associate Professor of Law, Tulane Law School
   Law Review Ranking: 19

   Id. (Scalia, J., majority opinion) (citing Brandon L. Garrett & Peter J. Neufeld, Invalid Forensic Science Testimony and Wrongful Convictions, 95 VA. L. REV. 1 (2009)).
   Authors: Brandon L. Garrett: Associate Professor, University of Virginia School of Law; Peter J. Neufeld: Co-Founder and Co-Director, The Innocence Project
   Law Review Ranking: 6
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<td>W. Page Keeton Chair in Tort Law, University of Texas at Austin</td>
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Author: W. Page Keeton Chair in Tort Law, University of Texas at Austin

Law Review Ranking: 597


Author: Professor of Law, University of Chicago School of Law

Law Review Ranking: 72
Id. (Alito, J., majority opinion) (citing Donald L. Horowitz, Decreeing Organizational Change: Judicial Supervision of Public Institutions, 1983 DUKE L.J. 1265).
Author: Professor of Law, Duke University School of Law
Law Review Ranking: 21

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Author: Professor of Law, Harvard University
Law Review Ranking: 1

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Author: Executive Director, Campaign for Educational Equity, and Professor of Law and Educational Practice, Teachers College, Columbia University, and Lecturer in Law, Columbia Law School
Law Review Ranking: 24

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Author: Assistant Professor of Law, N.Y.U. School of Law.
Law Review Ranking: 7

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Author: Assistant Professor of Law, University of Michigan
Law Review Ranking: 1


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Author: Professor, Harvard Law School
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   Author: Assistant Professor of Law, Harvard Law School
   Law Review Ranking: 1

   Id. (Roberts, C.J., majority opinion) (citing Henry J. Friendly, Indiscretion About Discretion, 31 EMORY L.J. 747 (1982)).
   Author: Senior Judge, United States Court of Appeals for the Second Circuit
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   Author: Professor of Law, at Harvard Law School
   Law Review Ranking: 1

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   Author: Assistant Professor of Law, George Mason University School of Law
   Law Review Ranking: 53

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   Author: [Law student] University of Pennsylvania Law School
Law Review Ranking: 8

Author: Professor of Law, UCLA School of Law

Law Review Ranking: 45

Author: Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, Political Science and Policy, Planning and Development, University of Southern California

Law Review Ranking: 192

Id. at 922 n.2 (Roberts, C.J., concurring) (citing David A. Strauss, *Corruption, Equality, and Campaign Finance Reform*, 94 COLUM. L. REV. 1369 (1994)).
Author: Harry N. Wyatt Professor of Law, University of Chicago School of Law

Law Review Ranking: 2

Author: Professor of Law, West Virginia University College of Law

Law Review Ranking: 19

Id. at 927 (Scalia, J., concurring) (citing Note, *Corporate Political Affairs Programs*, 70 YALE L.J. 821 (1961)).
Author: [Law student] Yale Law School

Law Review Ranking: 3

Id. at 928 (Scalia, J., concurring) (citing Zephyr Teachout, *The Anti-Corruption Principle*, 94 CORNELL L. REV. 341 (2009)).
Author: Visiting Law Professor, Duke University Law School

Law Review Ranking: 14

Id. (Scalia, J., concurring) (citing David Fagundes, *State Actors as First Amendment Speakers*, 100 NW. U. L. REV. 1637 (2006)).
Author: Bigelow Fellow and Lecturer in Law, University of Chicago Law School

Law Review Ranking: 13

Id. (Scalia, J., concurring) (citing Randall P. Bezanson, *Institutional Speech*, 80 IOWA L. REV. 735 (1995)).
Author: Professor of Law, Washington & Lee Law School

Law Review Ranking: 22
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Author: Dean, College of Family, Home and Social Sciences, Brigham Young University
Law Review Ranking: 465

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Author: [Law student] J.D. Candidate 2004, University of Kentucky School of Law
Law Review Ranking: 186

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Author: Visiting Assistant Professor of Law, Duke University Law School
Law Review Ranking: 14

Id. (Stevens, J., concurring in part and dissenting in part) (citing David A. Strauss, Corruption, Equality, and Campaign Finance Reform, 94 COLUM. L. REV. 1369 (1994)).

Author: Harry N. Wyatt Professor of Law, University of Chicago
Law Review Ranking: 2

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Author: Assistant Professor of Law, Moritz College of Law, Ohio State University
Law Review Ranking: 9

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Authors: Henry Hansmann: Professor, Yale Law School; Reinier Kraakman: Professor, Harvard Law School
Law Review Ranking: 10

Id. (Stevens, J., concurring in part and dissenting in part) (citing Robert H. Bork, Neutral Principles and Some First Amendment Problems, 47 IND. L.J. 1 (1971)).

Author: Professor of Law, Yale Law School
Law Review Ranking: 32
Id. at 950 (Stevens, J., concurring in part and dissenting in part) (citing David Shelledy, *Autonomy, Debate, and Corporate Speech*, 18 HASTINGS CONST. L.Q. 541 (1991)).

Author: Harry A. Bigelow Teaching Fellow and Lecturer in Law, University of Chicago

Law Review Ranking: 198

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Id. (Stevens, J., concurring in part and dissenting in part) (citing David Fagundes, *State Actors as First Amendment Speakers*, 100 NW. U. L. REV. 1637 (2006)).

Author: Bigelow Fellow and Lecturer in Law, University of Chicago

Law Review Ranking: 13

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Id. (Stevens, J., concurring in part and dissenting in part) (citing Randall P. Bezanson, *Institutional Speech*, 80 IOWA L. REV. 735 (1995)).

Author: Professor of Law, Washington & Lee University School of Law

Law Review Ranking: 22

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Author: Acting Professor, UCLA School of Law

Law Review Ranking: 10

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Author: Associate Professor of Law, Seton Hall Law School

Law Review Ranking: 30

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Id. at 970 (Stevens, J., concurring in part and dissenting in part) (citing Richard H. Pildes, *The Supreme Court 2003 Term Foreword: The Constitutionalization of Democratic Politics*, 118 HARV. L. REV. 28 (2004)).

Author: Sudler Family Professor of Constitutional Law, New York University School of Law

Law Review Ranking: 1

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Authors: Margaret M. Blair: Professor of Law, Georgetown University Law Center and Senior Fellow, The Brookings Institute; Lynn A. Stout: Professor of Law, Georgetown University Law Center

Law Review Ranking: 6
Id. at 972 (Stevens, J., concurring in part and dissenting in part) (citing Martin H. Redish, *The Value of Free Speech*, 130 U. Pa. L. Rev. 591 (1982)).

Author: Professor of Law, Northwestern University

Law Review Ranking: 8

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Author: Assistant Professor of Law, Northwestern University

Law Review Ranking: 16

Id. at 977 (Stevens, J., concurring in part and dissenting in part) (citing Adam Winkler, *Beyond Bellotti*, 32 Loy. L.A. L. Rev. 133 (1998)).

Author: [Practitioner] Adjunct Professor of Law, Loyola Law School

Law Review Ranking: 102

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Author: Assistant Professor, University of Michigan Law School

Law Review Ranking: 6


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Author: Professor of Law, Hastings College of Law, University of California

Law Review Ranking: 19

Id. (Breyer, J., dissenting) (citing Henry J. Terry, *Intent to Defraud*, 25 Yale L.J. 87 (1915)).

Author: Professor of Law, Yale Law School

Law Review Ranking: 3


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Author: Assistant Professor of Law, Stanford Law School

Law Review Ranking: 4


No citations

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Authors: Richard A. Leo: Assistant Professor of Criminology, Law and Society and Assistant Professor of Psychology and Social Behavior, University of California at Irvine; Welsh S. White: Professor of Law, University of Pittsburgh

Law Review Ranking: 15

No citations


Id. at 1255 (Alito, J., majority opinion) (citing Comment, Retail Gasoline Franchise Terminations and Nonrenewals Under Title I of the Petroleum Marketing Practices Act, 1980 DUKE L.J. 522 (1980)).

Author: [Law student] Duke Law School
Law Review Ranking: 21

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Author: Professor of Law, DePaul Law School
Law Review Ranking: 63

Id. (Alito, J., majority opinion) (citing Mary Ann Glendon, The Transformation of American Landlord-Tenant Law, 23 B.C. L. REV. 503 (1982)).

Author: Professor of Law, Boston College Law School
Law Review Ranking: 27

Id. (Alito, J., majority opinion) (citing Lorin M. Kleeger, Comment, Judicial Interpretation of the Petroleum Marketing Practices Act, 32 EMORY L.J. 273 (1983)).

Author: [Law student] Emory Law School
Law Review Ranking: 26

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   Authors: Albert W. Alschuler: Wilson-Dickinson Professor, University of Chicago School of Law; Andrew G. Deiss: [Law student] Doctoral Student in History and J.D. Candidate 1995, University of Chicago
   
   Law Review Ranking: 16

   
   *Id.* at 1406 (Stevens, J., majority opinion) (citing John Paul Stevens, *The Shakespeare Canon of Statutory Construction*, 140 U. PA. L. REV. 1373 (1992)).
   
   Author: Associate Justice, Supreme Court of the United States
   
   Law Review Ranking: 8

   
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   *Id.* at 1441 (Scalia, J., plurality opinion) (citing Jos R. Torres & Steve Windsor, *State Legislative Histories: A Select, Annotated Bibliography*, 85 LAW LIBR. J. 545 (1993)).
   
   Authors: Jos R. Torres: Legal Reference Librarian, Law Library of Congress; Steve Windsor: Judicial Law Clerk, United States District Court for the Southern District of Texas
   
   Law Review Ranking: 548

   *Id.* at 1448 (Scalia, J., plurality opinion) (citing Bradford R. Clark, *Erie's Constitutional Source*, 95 CALIF. L. REV. 1289 (2007)).
   
   Author: William Cranch Research Professor of Law, George Washington University Law School
   
   Law Review Ranking: 7

   *Id.* at 1452 n.7 (Stevens, J., concurring) (citing John Hart Ely, *The Irrepressible Myth of Erie*, 87 HARV. L. REV. 693 (1974)).
   
   Author: Professor of Law, Harvard Law School
   
   Law Review Ranking: 1

   *Id.* at 1460 (Ginsburg, J., dissenting) (citing Roger J. Traynor, *Is This Conflict Really Necessary?*, 37 TEX. L. REV. 657 (1959)).
   
   Author: Associate Justice, Supreme Court of California
   
   Law Review Ranking: 11
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Id. at 1469 (Ginsburg, J., dissenting) (citing Walter Wheeler Cook, “Substance” and “Procedure” in the Conflict of Laws, 42 YALE L.J. 333 (1933)).
Author: Professor of Law, The Institute of Law, Johns Hopkins University
Law Review Ranking: 3

Id. at 1470 (Ginsburg, J., dissenting) (citing William F. Baxter, Choice of Law and the Federal System, 16 STAN. L. REV. 1 (1963)).
Author: Associate Professor of Law, Stanford Law School
Law Review Ranking: 4


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Author: Associate Professor and Director, Criminal Defense Clinic, Syracuse University College of Law
Law Review Ranking: 22

Id. at 1482 (Stevens, J., majority opinion (citing Gabriel J. Chin & Richard W. Holmes, Jr., Effective Assistance of Counsel and the Consequences of Guilty Pleas, 87 CORNELL L. REV. 697 (2002)).
Authors: Gabriel J. Chin: Interim Associate Dean For Faculty Research and Development and Rufus King Professor of Law, University of Cincinnati College of Law; Richard W. Holmes, Jr.: Associate, Graydon, Head & Ritchey
Law Review Ranking: 14


Id. at 1595 n.3 (Alito, J., dissenting) (citing Note, Economics and Ethics in the Genetic Engineering of Animals, 19 HARV. J.L. & TECH. 413 (2006)).
Author: [Law student] J.D. Candidate 2006, Texas Tech School of Law
Law Review Ranking: 25

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Authors: Janet Weinstein: Professor of Law, California Western School of Law; Ricardo Weinstein: Psychologist, Private Practice Law Review Ranking: 68

Id. at 1683 (Breyer, J., concurring in part and dissenting in part) (citing Jonathan M. Barnett, Certification Drag: The Opinion Puzzle and Other Transactional Curiosities, 33 IOWA J. CORP. L. 95 (2007)).

Author: Assistant Professor, Gould School of Law, University of Southern California
Law Review Ranking: Unranked


Author: [Practitioner] Law Review Ranking: 87

Id. at 1765 n.1 (Alito, J., majority opinion) (citing Lourdes M. Andreu, Comment, A Comparative Analysis of Charter Party Agreements “Subject to” Respective American and British Laws and Decisions . . . It’s All in the Details, 26 TUL. MAR. L.J. 291 (2002)).

Author: [Law student] J.D. Candidate 2002, Tulane Law School
Law Review Ranking: 569

Id. at 1769 n.6 (Alito, J., majority opinion) (citing Charles Merrill Hough, Admiralty Jurisdiction – Of Late Years, 37 HARV. L. REV. 529 (1924)).

Author: Professor of Law, Harvard Law School
Law Review Ranking: 1


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Author: Associate Professor of Law, University of Michigan Law Review Ranking: 9


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Author: [Law student] University of Chicago School of Law
Law Review Ranking: 16

Id. at 1867 n.4 (Stevens, J., dissenting) (citing George C. Thomas III & Mark Greenbaum, Justice Story Cuts the Gordian Knot of Hung Jury Instructions, 15 WM. & MARY BILL RTS. J. 893 (2007)).
Authors: George C. Thomas III: Distinguished Professor of Law, Rutgers University; Mark Greenbaum: [Law student] J.D. 2005, Rutgers Law School
Law Review Ranking: 99


Id. at 1991 (Kennedy, J., majority opinion) (citing Jana B. Singer, Dispute Resolution and the Postdivorce Family: Implications of a Paradigm Shift, 47 FAM. CT. REV. 363 (2009)).
Author: Professor of Law, University of Maryland School of Law
Law Review Ranking: 325

Id. (Kennedy, J., majority opinion) (citing Linda D. Elrod, Reforming the System to Protect Children in High Conflict Custody Cases, 28 WM. MITCHELL L. REV. 495 (2001)).
Author: Distinguished Professor of Law, Washburn University School of Law
Law Review Ranking: 236

Author Professor of Law, New York University School of Law
Law Review Ranking: 356

Author: [Law student] Tulane Law School
Law Review Ranking: 347

Id. at 1972 (Thomas, J., dissenting) (citing Randy E. Barnett, *The Original Meaning of the Necessary and Proper Clause*, 6 U. PA. J. CONST. L. 183 (2003)).

Author: Austin B. Fletcher Professor, Boston University School of Law
Law Review Ranking: 60


Authors: Gary Lawson: Associate Professor of Law, Northwestern University School of Law; Patricia B. Granger: Bigelow Teaching Fellow and Lecturer in Law, University of Chicago School of Law
Law Review Ranking: 21


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Author: Associate Professor of Law, Georgetown University Law Center
Law Review Ranking: 18

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Authors: Connie de la Vega: Professor of Law and Director of the Frank C. Newman International Human Rights Clinic, University of San Francisco School of Law; Michelle Leighton: Director of Human Rights Programs, Center for Law and Global Justice, University of San Francisco School of Law
Law Review Ranking: 158

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Author: Professor of History, Wellesley College
Law Review Ranking: 720

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Author: Professor of Law, NYU School of Law
Law Review Ranking: 9
Id. (Thomas, J., dissenting) (citing Daniel Suleiman, Note, The Capital Punishment Exception: A Case for Constitutionalizing the Substantive Criminal Law, 104 COLUM. L. REV. 426 (2004)).

Author: [Law student] Columbia Law School
Law Review Ranking: 2

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Authors: Carol S. Steiker: Howard J. and Katherine W. Aibel Professor of Law, Harvard Law School; Jordan M. Steiker: Judge Robert M. Parker Chair in Law, University of Texas School of Law
Law Review Ranking: 60

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Author: Associate Justice, Supreme Court of the United States
Law Review Ranking: 650

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Author: Centennial Professor of Law, University of Minnesota
Law Review Ranking: 407

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Author: Professor of Law, Arizona State University
Law Review Ranking: 7

Id. (Stevens, J., concurring) (citing Stephen J. Schulhofer, Rethinking Mandatory Minimums, 28 WAKE FOREST L. REV. 199 (1993)).

Author: Frank & Bernice J. Greenberg Professor of Law and Director of the Center for Studies in Criminal Justice, University of Chicago Law School
Law Review Ranking: 38
No citations


  Id. at 2210 (Stevens, J., majority opinion) (citing Edward B. Rock, *Corporate Law Through an Antitrust Lens*, 92 COLUM. L. REV. 497 (1992)).
  Author: Assistant Professor of Law, University of Pennsylvania Law School
  Law Review Ranking: 2

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  Author: Langdell Professor of Law, Harvard University
  Law Review Ranking: 1

  Author: Ben V. & Dorothy Willie Professor of Law, the University of Iowa
  Law Review Ranking: 158

  Id. (Stevens, J., majority opinion) (citing Zenichi Shishido, *Conflicts of Interest and Fiduciary Duties in the Operation of a Joint Venture*, 39 HASTINGS L.J. 63 (1987)).
  Author: Associate Professor of Law, Seikei University, Tokyo, Japan
  Law Review Ranking: 34

  Id. (Stevens, J., majority opinion) (citing Joseph F. Brodley, *Joint Ventures and Antitrust Policy*, 95 HARV. L. REV. 1521 (1982)).
  Author: Professor of Law, Boston University
  Law Review Ranking: 1

No citations


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  Author: Professor of Law, Loyola Law School
  Law Review Ranking: 99

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     Author: Stanley D. and Sandra J. Rosenberg Centennial Professor of Law, University of Texas at Austin
     Law Review Ranking: 597

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     Author: General Counsel for the Metropolitan Water District of Southern California, in Los Angeles
     Law Review Ranking: 87

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Author: Former Chairman of the NLRB  
Law Review Ranking: 772

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Author: Career NLRB attorney  
Law Review Ranking: 135

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Author: Henry Hitchcock Professor of Law, Washington University in St. Louis  
Law Review Ranking: 21

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Author: [Law student] J.D. Candidate 1992, The University of Chicago  
Law Review Ranking: 16

No citations

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Author: Graduate Fellow, Yale Law School  
Law Review Ranking: 90

No citations

Authors: Stephen J. Choi: Murray and Kathleen Bring
Professor of Law, NYU Law School; Linda J. Silberman: Martin Lipton Professor of Law, NYU Law School

Law Review Ranking: 40

Id. (Scalia, J., majority opinion) (citing Kun Young Chang, Multinational Enforcement of U.S. Securities Laws: The Need for the Clear and Restrained Scope of Extraterritorial Subject-Matter Jurisdiction, 9 FORDHAM J. CORP. & FIN. L. 89 (2004)).

Author: Law clerk, Kelley Belcher & Brown, Bloomington, Indiana

Law Review Ranking: 232

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Author: Lee S. and Charles A. Speir Professor of Law, Vanderbilt University

Law Review Ranking: 42

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Author: Associate Professor, University of Georgia School of Law

Law Review Ranking: 65


Author: [Law student] J.D., Georgetown University Law Center

Law Review Ranking: 655

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Author: Professor of Law and Louis F. Neizer Faculty Fellow, Indiana University School of Law-Bloomington

Law Review Ranking: 65

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Author: William Nelson Cromwell Professor of Law, Emeritus, Harvard University

Law Review Ranking: 1
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Id. at 2892 (Stevens, J., concurring) (citing William S. Dodge, Understanding the Presumption Against Extraterritoriality, 16 BERKELEY J. INT’L L. 85 (1998)).
Author: Associate Professor, University of California, Hastings College of the Law
Law Review Ranking: 124

Id. at 2895 (Stevens, J., concurring) (citing Joseph P. Griffin, Extraterritoriality in U.S. and EU Antitrust Enforcement, 67 ANTITRUST L.J. 159 (1999)).
Author: Former Counsel for the British Government in Hartford Fire and member of both American Bar Association Task Forces that reviewed the 1995 and 1988 Antitrust Enforcement Guidelines for International Operations
Law Review Ranking: 126

Id. at 2927 (Ginsburg, J., majority opinion) (citing Daniel J. Hurson, Limiting the Federal Mail Fraud Statute-A Legislative Approach, 20 AM. CRIM. L. REV. 423 (1983)).
Author: Partner, Hundley & Cacheris, Washington, D.C.
Law Review Ranking: 66

No citations

Id. at 2985 (Ginsburg, J., majority opinion) (citing Eugene Volokh, Freedom of Expressive Association and Government Subsidies, 58 STAN. L. REV. 1919 (2006)).
Author: Gary T. Schwartz Professor of Law, UCLA School of Law
Law Review Ranking: 4

Id. at 3030 (Alito, J., plurality opinion) (citing Fredrick M. Lawrence, Civil Rights and Criminal Wrongs: The Mens Rea of Federal Civil Rights Crimes, 67 TUL. L. REV. 2113, 2153 (1993)).
Author: Associate Professor of Law, Boston University
Law Review Ranking: 87

Id. at 3033 (Alito, J., plurality opinion) (citing Charles Fairman, Does the Fourteenth Amendment Incorporate the Bill of Rights?, 2 STAN. L. REV. 5 (1949)).
Author: Professor of Law and Political Science, Stanford University
Law Review Ranking: 4

Author: Law professor, Harvard Law School (emeritus)

Law Review Ranking: 43

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Id. (Alito, J., plurality opinion) (citing David T. Hardy, *Original Popular Understanding of the Fourteenth Amendment as Reflected in the Print Media of 1866-1868*, 30 WHITTIER L. REV. 695 (2009)).

Author: [Practitioner]

Law Review Ranking: 272

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Id. (Alito, J., plurality opinion) (citing Richard L. Aynes, *On Misreading John Bingham and the Fourteenth Amendment*, 103 YALE L.J. 57 (1993)).

Author: Associate Dean and Professor of Law, University of Akron School of Law

Law Review Ranking: 3

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Authors: Clayton E. Cramer: Adjunct History Faculty, College of Western Idaho; Nicholas J. Johnson: Professor, Fordham University School of Law; George A. Mocsary: Law Clerk to the Honorable Harris L Hartz, U.S. Court of Appeals for the Tenth Circuit

Law Review Ranking: 168

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Authors: Stephen G. Calabresi: George C. Dix Professor of Constitutional Law, Northwestern University; Livia Fine: [Law student] J.D. candidate, Northwestern University School of Law 2010

Law Review Ranking: 13

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Authors: Stephen G. Calabresi: George C. Dix Professor of Constitutional Law, Northwestern University; Sarah E. Agudo: [Law student] Northwestern University School of
Law and candidate for a Master in Public Policy at Harvard University, Kennedy School of Government
Law Review Ranking: 11

*Id.* at 3044 n.28 (Alito, J., plurality opinion) (citing Gordon Van Kessel, *Adversary Excesses in the American Criminal Trial*, 67 *NOTRE DAME L. REV.* 403 (1992)).

Author: Professor of Law, University of California, Hastings College of the Law
Law Review Ranking: 18


Author: Associate Professor of Law, University of California's Hastings College of the Law
Law Review Ranking: 115


Author: Assistant Professor of Law, Florida State University
Law Review Ranking: 4

*Id.* (Alito, J., plurality opinion) (citing David Alan Sklansky, *Anti-Inquisitorialism*, 122 *HARV. L. REV.* 1634 (2009)).

Author: Professor of Law, University of California, Berkeley, School of Law
Law Review Ranking: 1

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Author: [Law student]
Law Review Ranking: 96

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Author: Alumni Distinguished Professor of Law, University of Illinois College of Law (as of August 2010)
Law Review Ranking: 10

*Id.* at 3072 (Thomas, J., concurring) (citing Bryan H. Wildenthal, *Nationalizing the Bill of Rights: Revisiting the Original Understanding of the Fourteenth Amendment in 1866-67*, 68 *OHIO ST. L.J.* 1509 (2007)).

Author: Associate Professor, Thomas Jefferson School of Law
Law Review Ranking: 43
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Author: [Practitioner]
Law Review Ranking: 272

Id. at 3081 (Thomas, J, concurring) (citing Robert J. Cottrol & Raymond T. Diamond, The Second Amendment: Toward an Afro-Americanist Reconsideration, 80 Geo. L.J. 309 (1991)).
Author: Robert J. Cottrol: Associate Professor, Rutgers (Camden) School of Law; Raymond T. Diamond: Associate Professor, Tulane University School of Law
Law Review Ranking: 10

Id. at 3089 (Stevens, J., dissenting) (citing David P. Currie, The Reconstruction Congress, 75 U. Chi. L. Rev. 383 (2008)).
Author: Edward H. Levi Distinguished Service Professor of Law Emeritus, The University of Chicago
Law Review Ranking: 16

Author: Judge, United States Court of Appeals for the Fourth Circuit
Law Review Ranking: 51

Id. (Stevens, J., dissenting) (citing Christopher R. Green, The Original Sense of the (Equal) Protection Clause: Subsequent Interpretation and Application, 19 Geo. Mason U. C.R. L.J. 219 (2009)).
Author: Assistant Professor of Law, University of Mississippi School of Law
Law Review Ranking: 370

Id. (Stevens, J., dissenting) (citing Philip Hamburger, Privileges or Immunities, 105 Nw. U. L. Rev. (forthcoming)).
Author: Maurice and Hilda Friedman Professor of Law, Columbia University
Law Review Ranking: 13

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Author: Professor of Law and History, Vanderbilt University
Law Review Ranking: 144

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Date: 5/15/2012 7:53 AM

Author: Visiting Professor of Law, Notre Dame Law School, Guy Anderson Chair & Professor of Law, J. Reuben Clark Law School, Brigham Young University

Id. (Stevens, J., dissenting) (citing Earl M. Maltz, Fourteenth Amendment Concepts in the Antebellum Era, 32 AM. J. LEGAL HIST. 305 (1988)).

Author: Professor of Law, Rutgers (Camden)


Author: Tyler Professor of Constitutional Law, Harvard Law School

Id. (Stevens, J., dissenting) (citing John Paul Stevens, The Third Branch of Liberty, 41 U. MIAMI L. REV. 277 (1986)).

Author: Associate Justice of the Supreme Court of the United States

Id. at 3092 (Stevens, J., dissenting) (citing John Paul Stevens, The Bill of Rights: A Century of Progress, 59 U. CHI. L. REV. 13 (1992)).

Author: Associate Justice of the Supreme Court of the United States

Id. (Stevens, J., dissenting) (citing Jamal Greene, The So-Called Right to Privacy, 43 U.C. DAVIS L. REV. 715 (2010)).

Author: Associate Professor of Law, Columbia Law School

Id. (Stevens, J., dissenting) (citing Felix Frankfurter, Memorandum on “Incorporation” of the Bill of Rights into the Due Process Clause of the Fourteenth Amendment, 78 HARV. L. REV. 746 (1965)).

Author: Associate Justice, United States Supreme Court, retired

Id. at 3095 (Stevens, J., dissenting) (citing Eugene Volokh, State Constitutional Rights to Keep and Bear Arms, 11 TEX. REV. L. & POL. 191 (2006)).

Author: Gary T. Schwartz Professor of Law, UCLA

Law Review Ranking: 1

Law Review Ranking: 26

Law Review Ranking: 720

Law Review Ranking: 1

Law Review Ranking: 126

Law Review Ranking: 16

Law Review Ranking: 31

Law Review Ranking: 1

Law Review Ranking: 356
Id. (Stevens, J., dissenting) (citing J. A. C. Grant, Felix Frankfurter: A Dissenting Opinion, 12 UCLA L. REV. 1013 (1965)).
Author: Professor of Political Science, University of California, Los Angeles
Law Review Ranking: 12

Id. at 3099 (Stevens, J., dissenting) (citing William H. Rehnquist, The Notion of a Living Constitution, 54 TEX. L. REV. 693 (1976)).
Author: Associate Justice, United States Supreme Court
Law Review Ranking: 11

Id. at 3100 (Stevens, J., dissenting) (citing Robert C. Post, The Supreme Court 2002 Term-foreword: Fashioning the Legal Constitution: Culture, Courts, and Law, 117 HARV. L. REV. 4 (2003)).
Author: David Boies Professor of Law, Yale Law School
Law Review Ranking: 1

Id. at 3102 (Stevens, J., dissenting) (citing Kermit Roosevelt, III, Forget the Fundamentals: Fixing Substantive Due Process, 8 U. PA. J. CONST. L. 983 (2006)).
Author: Assistant Professor, University of Pennsylvania Law School
Law Review Ranking: 60

Id. at 3106 (Stevens, J., dissenting) (citing Darrell H. Miller, Guns as Smut: Defending the Home-Bound Second Amendment, 109 COLUM. L. REV. 1278 (2009)).
Author: Assistant Professor of Law, University of Cincinnati College of Law
Law Review Ranking: 2

Id. at 3108 (Stevens, J., dissenting) (citing Carl T. Bogus, Gun Control and America’s Cities: Public Policy and Politics, 1 ALB. GOVT. L. REV. 440 (2008)).
Author: Professor of Law, Roger Williams University School of Law
Law Review Ranking: 587

Id. (Stevens, J., dissenting) (citing Lawrence Rosenthal, Second Amendment Plumbing After Heller: Of Standards of Scrutiny, Incorporation, Well-Regulated Militias, and Criminal Street Gangs, 41 URB. LAW. 1 (2009)).
Author: Professor of Law, Chapman University School of Law
Law Review Ranking: 481

Id. at 3113 (Stevens, J., dissenting) (citing Saul Cornell & Nathan DeDino, A Well Regulated Right: The Early American Origins of Gun Control, 73 FORDHAM L. REV. 487 (2004)).
Authors: Saul Cornell: Director of the Second Amendment Research Center, John Glenn Institute for Public Service and Public Policy ("Glenn Institute"); Associate Professor of History, The Ohio State University; Nathan DeDino: J.D., The Ohio State University Moritz College of Law, 2003; Ph.D. Candidate, Department of Political Science, Ohio State University; Research Associate, Glenn Institute

Law Review Ranking: 17

Id. (Stevens, J., dissenting) (citing Adam Winkler, Scrutinizing the Second Amendment, 105 Mich. L. Rev. 683 (2007)).

Author: Acting Professor, UCLA School of Law

Law Review Ranking: 9

Id. at 3116 (Stevens, J., dissenting) (citing Cass R. Sunstein, Second Amendment Minimalism: Heller as Griswold, 122 Harv. L. Rev. 246 (2008)).

Author: Felix Frankfurter Professor of Law, Harvard Law School

Law Review Ranking: 1

Id. at 3121 (Breyer, J., dissenting) (citing David Thomas Konig, Why the Second Amendment Has a Preamble: Original Public Meaning and the Political Culture of Written Constitutions in Revolutionary America, 56 UCLA L. Rev. 1295 (2009)).

Author: Professor of History and Professor of Law, Washington University in St. Louis

Law Review Ranking: 12

Id. (Breyer, J., dissenting) (citing Paul Finkelman, It Really Was About a Well Regulated Militia, 59 Syracuse L. Rev. 267 (2008)).

Author: President William McKinley Distinguished Professor of Law and Public Policy, Albany Law School

Law Review Ranking: 266


Author: Associate Professor, Washburn Law School

Law Review Ranking: 69

Id. (Breyer, J., dissenting) (citing Saul Cornell, St. George Tucker’s Lecture Notes, the Second Amendment, and Originalist Methodology, 103 Nw. U. L. Rev. 1541 (2009)).

Author: Professor of History, Fordham University

Law Review Ranking: 13

Author: James Parker Hall Distinguished Service Professor of Law, The University of Chicago
Law Review Ranking: 266

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Id. at 3124 (Breyer, J., dissenting) (citing Akhil Reed Amar, *The Bill of Rights as a Constitution*, 100 YALE L.J. 1131 (1991)).

Author: Professor, Yale Law School
Law Review Ranking: 3

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Id. at 3124 (Breyer, J., dissenting) (citing Jack N. Rakove, *The Second Amendment: The Highest Stage of Originalism*, 76 CHI.-KENT L. REV. 103 (2000)).

Author: Coe Professor of History and American Studies, and Professor of Political Science, Stanford University
Law Review Ranking: 83

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Id. at 3125 (Breyer, J., dissenting) (citing Reva B. Siegel, *Dead or Alive: Originalism as Popular Constitutionalism in Heller*, 122 HARV. L. REV. 191 (2008)).

Author: Nicholas deB. Katzenbach Professor of Law, Yale University
Law Review Ranking: 1

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Id. at 3130 (Breyer, J., dissenting) (citing Adam Winkler, *Scrutinizing the Second Amendment*, 105 MICH. L. REV. 683 (2007)).

Author: Acting Professor, UCLA School of Law
Law Review Ranking: 9

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Id. at 3131 (Breyer, J., dissenting) (citing Robert H. Churchill, *Gun Regulation, the Police Power, and the Right to Keep Arms: The Legal Context of the Second Amendment*, 25 LAW & HIST. REV. 139 (2007)).

Author: Assistant professor of history in the department of humanities at the University of Hartford
Law Review Ranking: 540

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Id. at 3132 (Breyer, J., dissenting) (citing Saul Cornell, *Early American Gun Regulation and the Second Amendment: A Closer Look at the Evidence*, 25 LAW & HIST. REV. 197 (2007)).

Author: associate professor of history at The Ohio State University and director of the Second Amendment Research Center, John Glenn Institute
Law Review Ranking: 540
Id. at 3133 (Breyer, J., dissenting) (citing Rosenthal, The New Originalism Meets the Fourteenth Amendment: Original Public Meaning and the Problem of Incorporation, 18 J. CONTEMP. LEGAL ISSUES 361 (2009)).

Author: Professor of Law, Chapman University School of Law
Law Review Ranking: 42

Id. (Breyer, J., dissenting) (citing Carole Emberton, The Limits of Incorporation: Violence, Gun Rights, and Gun Regulation in the Reconstruction South, 17 STAN. L. & POL’Y REV. 615 (2006)).

Author: Ph.D. candidate, History Department, Northwestern University
Law Review Ranking: 96

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Author: Gary T. Schwartz Professor of Law, UCLA School of Law
Law Review Ranking: 12

Id. at 3137 (Breyer, J., dissenting) (citing J. Harvie Wilkinson, III, Of Guns, Abortions, and the Unraveling Rule of Law, 95 VA. L. REV. 253 (2009)).

Author: Circuit Judge, United States Court of Appeals for the Fourth Circuit
Law Review Ranking: 6


Id. at 3166 (Breyer, J., dissenting) (citing Lawrence Lessig, Readings By Our Unitary Executive, 15 CARDOZO L. REV. 175 (1993)).

Author: Assistant Professor of Law, University of Chicago
Law Review Ranking: 37

Id. (Breyer, J., dissenting) (citing Charles Tiefer, The Constitutionality of Independent Officers as Checks on Abuses of Executive Power, 63 B.U. L. REV. 59 (1983)).

Author: Assistant United States Senate Legal Counsel
Law Review Ranking: 23


Author: William B. Graham Distinguished Service Professor of Law, University of Chicago
Law Review Ranking: 20
Id. (Breyer, J., dissenting) (citing Saikrishna Prakash, New Light on the Decision of 1789, 91 CORNELL L. REV. 1021 (2006)).
Author: Herzog Professor of Law, University of San Diego School of Law
Law Review Ranking: 14

Id. (Breyer, J., dissenting) (citing Edward S. Corwin, Tenure of Office and the Removal Power Under the Constitution, 27 COLUM. L. REV. 353 (1927)).
Author: Law professor, Columbia Law School
Law Review Ranking: 2

Id. (Breyer, J., dissenting) (citing Lawrence Lessig & Cass R. Sunstein, The President and the Administration, 94 COLUM. L. REV. 1 (1994)).
Authors: Lawrence Lessig: Assistant Professor of Law, University of Chicago Law School; Cass R. Sunstein: Karl N. Llewellyn Professor of Jurisprudence, University of Chicago, Law School and Department of Political Science
Law Review Ranking: 2

Id. at 3170 (Breyer, J., dissenting) (citing Peter L. Strauss, The Place of Agencies in Government: Separation of Powers and the Fourth Branch, 84 COLUM. L. REV. 573 (1984)).
Author: Law professor, Columbia Law School
Law Review Ranking: 2

Id. (Breyer, J., dissenting) (citing Harold H. Bruff, Bringing the Independent Agencies in from the Cold, 62 VAND. L. REV. EN BANC 63 (2009)).
Author: Law professor, University of Colorado School of Law
Law Review Ranking: 669

Id. at 3173 (Breyer, J., dissenting) (citing Richard H. Pildes, Putting the Power Back in Separation of Powers Analysis: Why the SEC – PCAOB Structure is Constitutional, 62 VAND. L. REV. EN BANC 85 (2009)).
Author: Law professor, NYU School of Law
Law Review Ranking: 669

Id. at 3174 (Breyer, J., dissenting) (citing Marshall J. Breger & Gary J. Edles, Established by Practice: The Theory and Operation of Independent Federal Agencies, 52 ADMIN. L. REV. 1111 (2000)).
Authors: Marshall J. Breger: Professor of Law, Columbus School of Law, Catholic University; Gary J. Edles: Professor of Law, Program on Law and Government, American University Washington College of Law, and Visiting Professor of Law, University of Hull
Law Review Ranking: 117
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Author: [Law student] Seton Hall Law School

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Author: Assistant Professor of Law, University of Pittsburgh

Law Review Ranking: 444

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Authors: David J. Barron: Professor of Law, Harvard Law School; Martin S. Lederman: Visiting Professor of Law, Georgetown University Law Center

Law Review Ranking: 1


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Author: Visiting Associate Professor/Visiting Scholar at Northern Illinois University, College of Law

Law Review Ranking: 412

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Author: Deputy Laboratory Counsel, University of California Los Alamos National Laboratory, Los Alamos, NM

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Author: Partner, Quarles, Herriott & Clemons, Milwaukee, Wis.

Law Review Ranking: 341

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Author: [Practitioner]
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Author: Associate Professor of Law, George Washington University

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Author: Associate, Staas & Halsey, Washington DC

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Author: Professor of Law, University of Pittsburgh School of Law

Law Review Ranking: 26

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Author: Patent Counsel, Bohn Aluminum & Brass Corp., Detroit

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Author: Associate Professor of Law, George Washington University

Law Review Ranking: 141

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Author: [Practitioner]

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Author: Wilson Sonsini Goodrich & Rosati Professor of Law, Boalt Hall School of Law, University of California, Berkeley

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Authors: Dan L. Burk: Oppenheimer, Wolff & Donnelly Professor of Law, University of Minnesota; Mark A. Lemley: Professor of Law, Boalt Hall, University of California at Berkeley; of counsel, Keker & Van Nest LLP
Law Review Ranking: 6

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Author: Assistant Professor, Rutgers University School of Law-Camden
Law Review Ranking: 8

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Author: Professor of Law, NYU School of Law and Director, Engelberg Center on Innovation Law and Policy
Law Review Ranking: 153

Authors: Michael Abramowicz: Professor of Law, George Washington University Law School; John F. Duffy: Oswald Symister Colclough Research Professor of Law, George Washington University Law School
Law Review Ranking: 5

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Author: Assistant Professor, Boston College Law School, and Non-Resident Fellow, Stanford Law School Center for Internet and Society
Law Review Ranking: 144

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Authors: Robert P. Merges: Associate Professor, Boston University School of Law; Richard R. Nelson: Henry Luce Professor of International Political Economy, Columbia
University Law Review Ranking: 2


Author: Professor of Law, Brooklyn Law School

University Law Review Ranking: 141

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Author: Associate Professor of Law, University of Virginia School of Law

University Law Review Ranking: 6

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Author: Robert & Barbara Luciano Professor of Law, University of Michigan Law School

University Law Review Ranking: 19

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Author: Associate Professor of Law at Boston University School of Law

University Law Review Ranking: 27

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Author: U.S. Circuit Judge, United States Court of Appeals for the Federal Circuit

University Law Review Ranking: 5

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Author: Jack N. and Lillian R. Berkman Professor for Entrepreneurial Legal Studies, Harvard Law School; Fellow, Wissenschaftskolleg zu Berlin, 1999

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Author: William T. Lafferty Professor of Law, University of Kentucky College of Law
Law Review Ranking: 186

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Author: [Practitioner] Adjunct Professor, Seton Hall University Law School
Law Review Ranking: 3

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Author: Ralph W. Aigler Professor of Law, University of Michigan Law School
Law Review Ranking: 55

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Authors: Cass R. Sunstein: Karl N. Llewellyn Distinguished Service Professor of Jurisprudence, University of Chicago Law School and Department of Political Science; Adrian
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Vermeule: Professor of Law, University of Chicago
Law Review Ranking: 9

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Author: Professor of Law, University of Chicago
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Author: Assistant Professor of Law, University of Chicago
Law Review Ranking: 20

Author: Assistant Professor of Law, New York University School of Law
Law Review Ranking: 5

Author: Professor of Law, Harvard Law School
Law Review Ranking: 1

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Author: Corliss Lamont Professor of Civil Liberties, Columbia Law School and David Lurton Massee Professor of Law, University of Virginia
Law Review Ranking: 14


Authors: Thomas C. Berg: Professor of Law, University of St. Thomas School of Law (Minnesota); Douglas Laycock: Alice McKean Young Regents Chair in Law, University of Texas School of Law

Law Review Ranking: 239


Author: Associate Professor, Duke University School of Law

Law Review Ranking: 20


Author: Arlin M. Adams: Counsel, Schnader, Harrison, Segal & Lewis, Philadelphia; Charles J. Emmerich: Research Consultant, University of Pennsylvania Law School

Law Review Ranking: 8


Author: Fulbright and Jaworski Professor of Law, University of Texas

Law Review Ranking: 20


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Author: D. Lurton Massee, Jr. Professor and Horace L. and Grace Doherty Charitable Foundation Research Professor, University of Virginia School of Law

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Author: Member, New York Bar. Partner, Stroock, Stroock & Lavan
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Author: Law clerk, The Honorable Richard C. Wesley, United States Court of Appeals for the Second Circuit
Law Review Ranking: 212

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Author: Professor of Law, University of Alabama School of Law
Law Review Ranking: 90

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Author: Law professor, University of Virginia School of Law
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Author: Professor of Law, University of Wyoming
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Author: [Law student] University of California, Berkeley School of Law
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Author: [Law student] University of Wyoming School of Law
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Author: [Law student] University of Wyoming School of Law
Law Review Ranking: 385

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Author: [Law student] University of Wyoming School of Law
Law Review Ranking: 385

Id. at 1777 (Thomas, J., majority opinion) (citing Mark Squillace, A Critical Look at Wyoming Water Law, 24 LAND & WATER L. REV. 307 (1989)).
Author: Associate Professor of Law, University of Wyoming College of Law
Law Review Ranking: 385

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Author: Acting Professor of Law, Boalt Hall School of Law, University of California, Berkeley
Law Review Ranking: 3

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Author: Professor of Law, Duke University School of Law
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Author: Department of Criminology, Maryland Population Research Center, University of Maryland
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Author: Judge of the United States Court of Appeals for the Second Circuit
Law Review Ranking: 5


Authors: Douglas N. Husak: Professor of Philosophy, Rutgers University; Craig A. Callender: Ph.D. (Philosophy), Rutgers University (expected 1995)
Law Review Ranking: 40

Id. (Kennedy, J., dissenting) (citing David Luban, Contrived Ignorance, 87 GEO. L.J. 957 (1999)).

Author: Frederick J. Haas Professor of Law and Philosophy, Georgetown University Law Center
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Author: [Law student] Yale Law School
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    Author: U.S. District Court judge since 1999 in the Northern District of California
    Law Review Ranking: 59

    
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    Author: Associate Professor of Law, Columbia University
    Law Review Ranking: 2

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    Author: Professor of Law, State University of Iowa
    Law Review Ranking: 8

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    *Id.* at 2349 (Scalia, J., majority opinion) (citing John P. Frank, Disqualification of Judges, 56 YALE L.J. 605 (1947)).
    Author: Assistant Professor of Law, Indiana University; Visiting Professor, Yale University School of Law, summer 1946
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Author: [Law student] Yale Law School
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Author: Associate Professor, Rutgers University School of Law-Newark
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Author: Law professor, University of Alabama School of Law.
Law Review Ranking: 43.

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Author: Professor of Law, University of Illinois College of Law
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Author: [Law student] Yale Law School
Law Review Ranking: 3


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Author: Professor, University of South Carolina School of Law
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Author: Professor of Law and Director of the Cecil D. Branstetter Litigation & Dispute Resolution Program,
Vanderbilt University Law School  
Law Review Ranking: 5


Authors: John Walker: John S. Shannon Distinguished Professor of Law, University of Virginia; Laurens Walker: T. Munford Boyd Professor of Law, University of Virginia; Gregory Mitchell: Professor of Law and E. James Kelly, Jr.-Class of 1965 Research Professor, University of Virginia  
Law Review Ranking: 6

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Author: Professor, Vanderbilt University Law School  
Law Review Ranking: 2


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Author: Associate Professor, University of Virginia School of Law  
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Author: Associate Professor of Law, University of Tennessee College of Law  
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Author: Late John P. Wilson Professor of Law, University of Chicago Law School  
Law Review Ranking: 203


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Authors: Susan R. Klein: Alice McKean Young Regents Chair in Law, University of Texas School of Law; Sandra Guerra Thompson: University of Houston Law Foundation
Professor of Law and Criminal Justice Institute Director,  
University of Houston Law Center  
Law Review Ranking: 239


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Author: Associate Professor, George Washington University 
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Authors: Puneet Manchanda: Associate Professor of 
Marketing, Graduate School of Business, University of 
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School of Business, University of Chicago  
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University of California, Hastings College of the Law 
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Author: Professor of Law, Duke University  
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Author: Assistant Professor of Law, Ohio State University 
Law Review Ranking: 22

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Author: Southmayd Professor, Yale Law School 
Law Review Ranking: 10


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Author: [Practitioner]  
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Author: Professor of Law, Harvard Law School and former judge, Supreme Court of New Hampshire
Law Review Ranking: 1

Id. (Ginsburg, J., majority opinion) (citing Jeremiah Smith, Legal Cause in Actions of Tort (Continued), 25 HARV. L. REV. 223 (1912)).
Author: Professor of Law, Harvard Law School and former judge, Supreme Court of New Hampshire
Law Review Ranking: 1

Id. (Ginsburg, J., majority opinion) (citing Walter W. Steele & Elizabeth G. Thornburg, Jury Instructions: A Persistent Failure to Communicate, 67 N.C. L. REV. 77 (1988)).
Authors: Walter W. Steele: Professor of Law, Southern Methodist University; Elizabeth G. Thornburg, Visiting Assistant Professor of Law and Director of Legal Research and Writing, Southern Methodist University
Law Review Ranking: 24

Id. (Ginsburg, J., majority opinion) (citing Robert P. Charrow & Veda R. Charrow, Making Legal Language Understandable: A Psycholinguistic Study of Jury Instructions, 79 COLUM. L. REV. 1306 (1979)).
Authors: Robert P. Charrow: Assistant Professor of Law, Howard University; Veda R. Charrow: Research Scientist, American Institutes for Research
Law Review Ranking: 2

Id. at 2643 (Ginsburg, J., majority opinion) (citing Jeremiah Smith, Legal Cause in Actions of Tort (Concluded), 25 HARV. L. REV. 303 (1912)).
Author: Professor of Law, Harvard Law School and former judge, Supreme Court of New Hampshire
Law Review Ranking: 1

No citations


Id. at 2737 (Scalia, J., majority opinion) (citing Note, Regulation of Comic Books, 68 HARV. L. REV. 489 (1955)).
Author: [Law student] Harvard Law School
Law Review Ranking: 1

Id. at 2746 (Alito, J., concurring) (citing Harry T. Edwards & Mitchell N. Berman, Regulating Violence on Television, 89 NW. U. L. REV. 1487 (1995)).


Id. at 2795 (Ginsburg, J., dissenting) (citing Russell J. Weintraub, A Map Out of the Personal Jurisdiction Labyrinth, 28 U.C. DAVIS L. REV. 531 (1995)).

Author: Professor of Law and holder of the John B. Connally Chair in Civil Jurisprudence, University of Texas School of Law
Law Review Ranking: 31

Id. at 2799 (Ginsburg, J., dissenting) (citing Lea Brilmayer, Rights, Fairness, and Choice of Law, 98 YALE L.J. 1277 (1989)).

Author: Nathan Baker Professor, Yale Law School
Law Review Ranking: 3

Id. (Ginsburg, J., dissenting) (citing Wendy Collins Perdue, Personal Jurisdiction and the Beetle in the Box, 32 B.C. L. REV. 529 (1991)).

Author: Associate Professor of Law, Georgetown University Law Center
Law Review Ranking: 27


Author: Associate Professor of Law, George Washington University National Law Center
Law Review Ranking: 36

Id. (Ginsburg, J., dissenting) (citing Richard A. Epstein, Consent, Not Power, as the Basis of Jurisdiction, 2001 U. CHI. LEGAL F. 1 (2011)).

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Law Review Ranking: 72

Id. (Ginsburg, J., dissenting) (citing Richard L. Cupp, Jr., Redesigning Successor Liability, 1999 U. ILL. L. REV. 845 (1999)).

Author: Professor of Law, Pepperdine University School of Law
Law Review Ranking: 30

Id. at 2801 (Ginsburg, J., dissenting) (citing Christopher A. Whytock, Myth of Mess? International Choice of Law in Action, 84 N.Y.U. L. REV. 719 (2009)).

Author: Associate Professor of Law, University of Utah, S.J. Quinney College of Law
Law Review Ranking: 5
Authors: Ronan E. Degnan: Professor of Law, Boalt Hall School of Law, University of California, Berkeley; Mary K. Kane: Professor of Law, Hastings College of the Law, University of California
Law Review Ranking: 34

Author: Professor of Law, Hastings College of the Law, University of California
Law Review Ranking: 297

Id. at 2804 (Ginsburg, J., dissenting) (citing Kevin M. Clermont & John R.B. Palmer, *Exorbitant Jurisdiction*, 58 Me. L. Rev. 474 (2006)).
Authors: Kevin M. Clermont: Flanagan Professor of Law, Cornell University; John R.B. Palmer: Associate Supervisory Staff Attorney, United States Court of Appeals for the Second Circuit
Law Review Ranking: 233


Id. at 2851 (Ginsburg, J., majority opinion) (citing Arthur T. von Mehren & Donald T. Trautman, *Jurisdiction to Adjudicate: A Suggested Analysis*, 79 Harv. L. Rev. 1121 (1966)).
Authors: Aurthur T. von Mehren: Professor of Law, Harvard Law School; Donald T. Trautman, Professor of Law, Harvard Law School
Law Review Ranking: 1

Authors: Lea Brilmayer: Nathan Baker Professor of Law, Yale Law School; Jennifer Haverkamp: [Practitioner]; Buck Logan: [Law student] Yale Law School
Law Review Ranking: 11

Id. at 2854 (Ginsburg, J., majority opinion) (citing Mary Twitchell, *The Myth of General Jurisdiction*, 101 Harv. L. Rev. 610 (1988)).
Author: Associate Professor, University of Florida Law School
Law Review Ranking: 1
Id. at 2855 (Ginsburg, J., majority opinion) (citing Kim Dayton, Personal Jurisdiction and the Stream of Commerce, 7 REV. LITIG. 239 (1988)).
Author: Associate Professor of Law, The University of Kansas Law Review Ranking: 164

Id. at 2857 (Ginsburg, J., majority opinion) (citing Kevin M. Clermont & John R.B. Palmer, Exorbitant Jurisdiction, 58 ME. L. REV. 474 (2006)).
Authors: Kevin M. Clermont: Flanagan Professor of Law, Cornell University; John R.B. Palmer: Associate Supervisory Staff Attorney, United States Court of Appeals for the Second Circuit
Law Review Ranking: 233

Id. (Ginsburg, J., majority opinion) (citing Lea Brilmayer & Kathleen Paisley, Personal Jurisdiction and Substantive Legal Relations: Corporations, Conspiracies, and Agency, 74 CALIF. L. REV. 1 (1986)).
Authors: Lea Brilmayer: Professor of Law, Yale Law School; Kathleen Paisley: [Law student] Third-year student, Yale Law School
Law Review Ranking: 7

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